

REGIONAL PLANNING COMMISSION MINUTES

The Humboldt County Regional Planning Commission (RPC) meeting was held on Thursday, October 9, 2014 at 5:30 p.m. in the County Meeting Room of the Humboldt County Courthouse located at 50 West Fifth Street, Winnemucca, Nevada.

COMMISSIONERS PRESENT

Brad Bauman
Ken Hladek
Jean Kinney
Dave Mendiola
Ray Olsen
Vickie Rock

COMMISSIONERS ABSENT

Lewis Trout

STAFF PRESENT

Betty Lawrence

LEGAL COUNSEL

Gabrielle Car

PUBLIC PRESENT

David Atwater
Joyce Sheen
Jimmy Trikeriotis
Nicole Peretti
Andrew Lesa

Craig Heinemann
Beth Dunning
John Milton
Michael Hynick
Steve Harriman

Lisa Dayton
Ben Garrett
Wallace Baum
Patricia Tindall

I. OPENING

- A. Vice-chair Mendiola called the meeting to order and led members and guests in the Pledge of Allegiance.
- B. Roll call was taken; there was a quorum present.

C. Public Commentary

Vice-chair Mendiola called for public comment. Patricia Tindall came forward and asked about an item on the agenda. She was told that there would be public comment allowed for that item later in the meeting. Vice-chair Mendiola asked if there was any additional public comment and hearing none, closed the public comment period.

- D. **Review, Correction and Approval of Minutes of September 11, 2014** – Vice-chair Mendiola asked if there were any concerns or corrections to the minutes of September 11, 2014. Ms. Lawrence stated she had received an e-mail from Ms. Rock regarding her comments on page 5 and 6 of the minutes. Ms. Rock suggested that the minutes reflect “Ms. Rock added that commercial zoning is generally used and serves as a buffer between highway and residential areas.” Ms. Lawrence reviewed the recording of the minutes and agreed that this statement better summarizes what Ms. Rock stated. In reviewing the recording Ms. Lawrence found another error in a comment made by Mr. Olsen. This comment is on page 5, last paragraph. The minutes reflect “no apparent reason to change”; Mr. Olsen actually stated “no appropriate reason to change.” Ms.

Lawrence indicated that both changes are reflected in the minutes of the September 11, 2014 meeting to be signed by Mr. Mendiola as Vice-chair. Mr. Mendiola asked if there were any additional corrections; hearing none he asked for a motion. Ms. Rock made a motion to approve the minutes with corrections. Mr. Hladek seconded the motion, which carried with all in favor.

Review, Correction and Approval of Special Meeting Minutes of September 18, 2014 - Vice-chair Mendiola asked if there were any concerns or corrections to the minutes of September 18, 2014. Ms. Rock and Mr. Hladek indicated that they would recuse themselves from voting as they were not in attendance at that meeting. Mr. Hladek stated he may have comments regarding some items in the minutes at a later time. Mr. Mendiola asked if there were any additional comments and hearing none, he asked for a motion. Mr. Bauman made a motion to approve the minutes of the September 18, 2014 meeting. Mr. Olsen seconded the motion, which carried with all in favor.

F. Requests for Postponement of Agenda Items – Vice-chair Mendiola asked if there were any requests for postponement of agenda items. Ms. Lawrence stated that no requests were received.

II. CONSENT AGENDA - Discussion & Possible Action

- A. PW-14-28** A parcel map application submitted by Desert Mountain Surveying, as agent for Patrick Morrissey, to parcel property into 2 lots. Subject property is located on Hanson Street between the Post Office and Mountain View Apartments; assessor's parcel #3638-29-355-006.
- B. LP-14-02** An application for division of land into large parcels submitted by Desert Mountain Surveying, as agent for All Finance, LLC, to divide the section into 10 parcels. Subject property is located approximately 3 ± miles northwest of Barrett Springs and 4 miles from Jungo Road along Barrett Springs Road; assessor's parcel #3736-19-100-001.

Vice-chair Mendiola asked if staff had any additional information on this item; there was none. Mr. Mendiola then asked if the board or public had any requests to pull down any items from the Consent Agenda for discussion. Hearing none, he asked for a motion. Ms. Rock motioned to approve items A and B of the Consent Agenda per staff's recommendation. Mr. Olsen seconded the motion, which carried with all in favor.

III. PUBLIC HEARING - Discussion & Possible Action

- A. RH-14-06** A zone change application submitted by Michael Breiner, Five County Ventures, Inc. to change the zoning from R-1-6 (Single-family residential 6,000 square foot minimum lot size) to R-3 (Multiple-family residential). Subject property is located on Bonfield Street; assessor's parcel #3638-32-127-003.

Vice-chair Mendiola asked staff if there was any additional information on this application; Ms. Lawrence indicated there was none. Mr. Mendiola asked if the applicant was present; he was not. Mr. Mendiola asked if there were any questions or comments from the board. Hearing none, he asked if anyone from the public had questions or comments. Hearing none, he brought the item back to the board and

asked for a motion. Mr. Olsen motioned to recommend approval to the Humboldt County Commissioners to approve application RH-14-06. Mr. Bauman seconded the motion, which carried unanimously.

- B. **SP-14-05** A site plan review application submitted by Michael L. Hynick, Construction Manager, Nevada Rural Housing Authority, to expand the existing multi-family senior housing facility (Phase II Larios Arms). Subject property is located at 242 West Minor Street; assessor's parcel #3638-29-404-003.

Vice-chair Mendiola asked if staff had additional information on the application. Ms. Lawrence stated that the variance request referred to in the staff report was approved by the City Council at their October 7, 2014 meeting. Mr. Mendiola asked if the applicant was present. Michael Hynick approached the board and introduced himself as the Construction Manager for Nevada Rural Housing Authority. Mr. Hynick thanked staff for their recommendation and consideration of this item.

Mr. Mendiola asked if the board had any questions of the applicant. Ms. Rock stated that for Phase I of this project, the drawing reflects a 2-story building; Phase II indicates a 3-story building. Mr. Hynick stated that Phase II was always a 3-story building. Mr. Mendiola asked if there were any further questions from the board. Hearing none, he asked if anyone in the public had any questions. Hearing none, he brought the item back to the board for a motion. Mr. Olsen motioned to approve application SP-14-05 per staff recommendation. Ms. Kinney seconded the motion, which carried unanimously. Mr. Mendiola thanked the applicant.

- C. **UW-14-14** A special use permit application submitted by Ron Van De Pol, as agent for Silver State Petroleum, Inc., to allow the use of the existing warehouse and office; and the construction of a new warehouse for storage and distribution of lubricants and grease to serve the mining industry. Subject property is located at 340 and 420 East National Avenue; assessor's parcel #s 3638-19-433-009, 3638-19-433-010 and 3638-19-433-011.

Vice-chair Mendiola asked if staff had any additional information on this application. Ms. Lawrence stated there were two corrections to the staff report and corrected pages were provided to the board. Ms. Carr asked that it be confirmed by staff that proper notice was given for the Public Hearing agenda items. It was verified by staff that notice was given for this application.

Ms. Rock asked about the variance request referred to in the staff report. Ms. Lawrence stated that this variance was also approved by the City Council at their October 7, 2014 meeting. Mr. Mendiola asked if the applicant was present.

David Atwater approached the board and introduced himself as a partner in Silver State Petroleum. Mr. Mendiola asked if Mr. Atwater had any comments for the board. Mr. Atwater gave a brief description of the proposed use for these properties. He explained that the tanks will be inside of the facility and not visible from the street. It will be in an insulated and warmed structure. Loading and unloading will take place behind the structure with the railcars bringing product in and trucks bringing product out. Mr. Olsen asked about the size of the bulk oil tanks. Mr. Atwater indicated that there will be over 15 steel tanks ranging in size from 10,000 gallons to 20,000 gallons. Mr. Olsen asked additional questions regarding the tanks. Mr. Atwater stated that there is a leak

detection system in place; the tanks would not be double walled but would be in a containment structure. Mr. Olsen asked about fire suppression. Mr. Atwater indicated they would install whatever type of fire suppression the City/County recommends.

Mr. Hladek asked if the existing building would be removed (APN: 3638-19-433-011). Mr. Atwater stated that they will remove the existing buildings, scrape and level the property. Mr. Hladek asked if there is existing siding, to which Mr. Atwater answered there is and they have approval from Union Pacific to use the siding. Mr. Mendiola asked about the timeframe. Mr. Atwater indicated that they would like to start soon. Once building permits are in place, they will be ready to go. Mr. Mendiola asked if anyone else on the board had any questions. Hearing none, he invited questions or comments from the public.

Patricia Tindall approached the board, introduced herself and stated that she lives on East National close to the proposed operation. She stated she had 4 questions of the applicant. Ms. Tindall's first question was about the tanks and she voiced a concern regarding the proximity of this property to the river. She has experienced flooding in this area even though the area is not reflected on the flood maps. Mr. Atwater stated that the property will be raised on the east side and the tanks will be enclosed in the warehouse. The tanks will be placed on concrete structures above the floor; no water would get into the tank farm. Everything is controllable and sealable. He indicated that they will only be storing oil and lubricants, neither of which is flammable or combustible. Ms. Tindall then asked if the tanks were stable in case of an earthquake. Mr. Atwater explained that the tanks are designed for substantial vibration and seismic activity. Mr. Olsen asked about valves. Mr. Atwater explained that the valves are closed when not in use.

Ms. Tindall asked if there would be fumes or odor from the oil storage. Mr. Atwater stated that since there would be no gasoline or diesel there should be no fumes or odors. Oil and lubricants do not evaporate so there is no smell associated with what will be stored. He anticipates that there would be no odor associated with the storage of the oil and lubricants, which he reiterated are not flammable. Ms. Tindall's last question was about the increase in traffic and large vehicles traveling in this area. She voiced concern over the elderly, children and pets in the area. She mentioned that there are no sidewalks at that end of East National Avenue with parking on the street. Mr. Atwater explained there could be a maximum of maybe 5 to 10 trips (truck in & out). Initially there would be 2 trucks here, which might increase to 4 trucks in the future. Travel would be to the mines in the area, which would be 1 trip out and back.

Mr. Hladek asked about the size of the trucks. Mr. Atwater indicated there will be the employee's pickup, a 3-axle flatbed, 3-axle tank truck and 18-wheeler. These vehicles would most likely go out once a day with the 18-wheeler possibly twice a day. Discussion ensued regarding what type of truck traffic is currently on East National Avenue in this area. Ms. Lawrence indicated that per the City Development Standards, sidewalks will be built on the south side of East National adjacent to these properties. Mr. Atwater stated there will also be additional street lights placed on East National along with another fire hydrant. Mr. Olsen asked about the hours of operation and what type of disturbance it would create. Mr. Atwater explained that the hours would be daytime, 12 hours a day. There may be pumping at night but the pumps will be located at the back of the building by the rail siding so there should be no noticeable noise. Mr. Olsen asked about employees on hand when pumping. Mr. Atwater stated that there

has to be a minimum of 2 employees on hand for any pumping from the rail cars after hours.

Mr. Mendiola called for additional public comment; hearing none, he invited further questions from the board. Mr. Bauman asked if the tanks were required to be pressure tested. Mr. Atwater explained that they are hydrostatic tested. Mr. Mendiola asked for a motion. Ms. Rock motioned to approve application UW-14-14 per staff recommendation. Mr. Olsen seconded the motion, which carried unanimously.

- D. UH-14-15** A conditional use permit application submitted by Nicole Peretti (dba Rustic Ranch Kennels) to allow for a dog training facility and kennels. Property is located at 10070 Joey Lane, Golconda, NV; assessor's parcel #3639-11-300-007.

Vice-chair Mendiola asked if the applicant was present. Ms. Peretti approached the board and introduced herself. Mr. Mendiola asked if the board had any questions for the applicant. Mr. Olsen asked if the kennels were weather protected. Ms. Peretti indicated that they contain heated and insulated dog houses with a corrugated roof.

Mr. Mendiola asked if anyone from the public had any comments and hearing none, brought the item back to the board. Mr. Olsen asked how many animals would be onsite. Ms. Peretti explained that she will not be boarding dogs. There will only be her dogs and any dogs onsite for training by appointment. The sessions normally last about an hour. Mr. Mendiola asked for a motion on this item. Mr. Olsen motioned to approve item UH-14-15 per staff recommendation. Mr. Hladek seconded the motion, which carried unanimously.

- E. UH-14-16** A conditional use permit application submitted by Andrew Lesa (Epic Wireless) as agent for Verizon Wireless to allow a wireless communications facility with a 120' monopole tower with antennas, facility with appurtenant structures and equipment. Property is located at 5270 Western Horizon Drive; assessor's parcel #3938-11-300-002.

Vice-chair Mendiola asked if the applicant was present. Andrew Lesa, Epic Wireless representing Verizon Wireless, approached the board and introduced himself. Mr. Lesa thanked staff for an excellent report and being helpful. Mr. Lesa explained that Verizon is expanding its coverage in Humboldt County. This facility will add additional coverage to Highway 95 and Highway 290. Mr. Mendiola asked if there were any questions from the board.

Ms. Rock asked if this project would help the Paradise Valley area with cell phone service. Mr. Lesa said it is possible but unlikely that there would be any substantial increase in coverage. Mr. Olsen asked about an engineered site plan, a fail safe area, and fence/gate at the site. Mr. Lesa stated that an engineered plan will be submitted at the time they apply for a building permit. He said that the setbacks will be met per the zoning requirements and the tower will be engineered with no anticipation of a failure; the site will be fenced and gated. Mr. Hladek asked if this monopole is similar to other monopoles. Mr. Lesa indicated that there is nothing unique about this monopole; they are all standard and engineered designs. Mr. Mendiola asked if there was any public comment on this item.

Wallace Baum approached the board and asked if this property is in Orovada. It was

explained that this property is in the Paradise Valley Estate area. He asked if the pole would be lit. Mr. Lesa stated they are not proposing a lighted design; however, the plans will be submitted to the FAA and they will be subject to any regulations that may apply. Mr. Baum's concern is the agricultural spraying at night and low flying aircraft. Mr. Lesa explained that this property will be north of the agricultural area off the highway but is something they can take a look at. Mr. Mendiola asked if there were any additional questions from the board. Ms. Rock thanked Mr. Lesa for Verizon investing in the community. Mr. Mendiola asked for a motion on this item. Mr. Bauman motioned to approve application UH-14-16 per staff recommendation. Mr. Olsen seconded the motion, which carried unanimously.

- F. **UH-14-17** A conditional use permit application submitted by Jimmy Trikeriotis with First Liberty Mining Corp. to amend existing conditional use permit UH-13-09 by adding additional property and changing the applicant and business name. This conditional use permit is a request to allow a gravel plant for the extraction of materials to be used commercially. Subject properties are located off of Stakel Drive and Gary Goodwin Drive, assessor's parcel #3537-31-400-025; Ann Drive, assessor's parcel #3537-31-400-015; Mae Nichols Drive and Skyline Drive, assessor's parcel #3537-31-400-008; Mae Nichols Drive, assessor's parcel #s 3537-31-300-029 and 030.

Vice-chair Mendiola asked if the applicant was in the audience. Jimmy Trikeriotis approached the board and introduced himself as Chief Operating Officer of First Liberty Power Corp. Mr. Trikeriotis stated that First Liberty has projects in the area from Reno to Elko, which are primarily mining operations. Mr. Mendiola asked Mr. Trikeriotis to tell the board about the operation. Mr. Trikeriotis explained that initially they will process 2 sites and add more sites if the gravel proves to be commercially valuable as aggregate. There has been some evidence of precious metals in this area so they will also be testing to see if they are commercially viable. They will use a simple gravity, dry separation system. He explained the process once the product gets to the processing facility.

Mr. Mendiola asked if this site is primarily for an extraction process and testing for some precious metals. Mr. Hladek asked to what depth they will be excavating. Mr. Trikeriotis said they would check with both Nevada Division of Environmental Protection (NDEP) and the County to see if there are any limits. There is an indication that the depth varies from 20 to 90 feet to hit bedrock. They have done no real drill testing so the actual depth is unknown. They will bring in geologists next week to start a drilling program to find the location of the bedrock. Mr. Hladek asked if this operation could lead to an open pit mine. Mr. Trikeriotis indicated that it would not and explained why.

Mr. Mendiola asked if there would be a lot of traffic. Mr. Trikeriotis said that eventually they hope so, probably from spring forward. The amount of traffic related to dump trucks will be related to the quality of the aggregate extracted. Mr. Olsen asked about legal access to the property from a county road. There was discussion about the roads in the area of these properties, dedicated rights-of-way and issues that have come before the County Commissioners regarding Herschel Road. Mr. Trikeriotis indicated that if the traffic increased significantly, there is a possibility that they would help to maintain Herschel Road. Ben Garrett, County Road Superintendent approached the board and stated that there has been a lot of work done on Herschel Road, including recent chip sealing. He indicated that Herschel Road was not designed for heavy truck traffic. He reiterated his comment submitted to staff that there is no right-of-way on the

unnamed road reflected on the paperwork submitted by the applicant. They will have to dedicate right-of-ways reflected on the map, which come off of Herschel Road.

Mr. Mendiola asked if there were any additional questions. Hearing none, he asked for a motion on this item. Mr. Olsen motioned to approve application UH-14-17 per staff recommendation. Ms. Rock seconded the motion, which carried unanimously.

- G. UH-14-18** A conditional use permit application submitted by Jimmy Trikeriotis with First Liberty Mineral Processing Corp. to allow an earthen materials processing facility. Subject property is located off of Westmoreland Road; assessor's parcel #3537-15-200-001.

Vice-chair Mendiola asked Mr. Trikeriotis to explain the operation of the earthen materials processing facility. Mr. Trikeriotis explained the process and stated that they picked Winnemucca for the location of this facility due to its proximity to other locations that have smaller claims and reserves. They process with no water or chemicals, using fundamental geology to process the materials, in order to be environmentally friendly. They plan to start with a small facility and hope to build as many of the 100x300 structures as they can. He explained how the earthen material will be processed. They expect to have the first building up by 2015 and will continue to move forward.

Ms. Rock asked what kind of job growth could be expected. Mr. Trikeriotis said their plan is based on using their own crews through the whole process, which could require 20 to 40 people per project. Eventually there could be a byproduct of the aggregate of rock and bricks, which could employ 100 to 600 people.

Mr. Hladek asked about ingress and egress from Westmoreland Road. He pointed out that it appears to be on the east side of the property and asked about the 45 MPH speed limit and any traffic hazard posed by doubles and triples pulling out from the property. Mr. Garrett approached the board and stated that there is a considerable sight distance and that both CarWil and Carry On have large vehicles pulling onto Westmoreland. The applicant will be required to have adequate width at the entrance to the property on the apron. Mr. Olsen asked how much water will be used. Mr. Trikeriotis stated again that no water is used in the processing of the materials. The only water would be what is required for sewage/water/bathrooms.

Mr. Mendiola asked if the board had any more questions or if there were any questions from the public. Hearing none, he asked for a motion on this item. Mr. Hladek motioned to approve application UH-14-18 per staff recommendation. Mr. Bauman seconded the motion which carried unanimously.

IV. COMMISSION / STAFF / LEGAL COMMENTS / COMMITTEE REPORTS / TRAINING OPPORTUNITIES - Discussion & Possible Action

Vice-chair Mendiola asked if there was anything under this item. Ms. Lawrence updated the board on the County Commission's decision regarding the recommendation from the RPC on medical marijuana establishments (MMEs). She reported that the HCC did not accept the RPC's recommendations but instead, the HCC would like to prohibit MMEs in the unincorporated area of Humboldt County. She added that the same decision to prohibit MMEs was made by the Winnemucca City Council. She stated that the ordinance prohibiting MMEs would come back before the RPC at the November meeting, which

would most likely then go to the HCC and WCC in December. Ms. Carr explained the process of the RPC public hearing to make an official recommendation of ordinance adoption, which will then go to the County Commission for final adoption. She clarified that the RPC has the option to not recommend approval of the ordinance; however, the governing bodies would make the final decisions.

Ms. Rock stated she finds it very sad that a decision would be made to give up the possibility for jobs within the community and to deny access to those in the community who need medical marijuana.

Mr. Mendiola stated that he had met with Dave Jensen, School District Superintendent, as a follow-up to the discussion regarding student participation in the RPC. Dr. Jensen was very responsive and is trying to set up a meeting with Ray Parks and teachers at the high school. Ms. Lawrence stated that she recently read an article from the National Association of Counties where this type of project was initiated in a larger county. She offered to provide the article to Mr. Mendiola. There was discussion from the board regarding ways to go about having the students participate.

Ms. Rock suggested a quasi-curriculum where students could show up 30 minutes prior to a RPC meeting for briefings on topics such as Open Meeting Law, the Master Plan, zoning, etc. Mr. Mendiola agreed and added that Dr. Jensen suggested that type of program, which would include participation by a teacher.

V. CORRESPONDENCE / BUDGET / PERSONNEL - Discussion & Possible Action

Ms. Lawrence stated that she had not received any correspondence.

VI. PUBLIC COMMENTARY

Vice-chair Mendiola called for comments from the public. Hearing none, he adjourned the meeting at 6:44 p.m. until November 13, 2014 at 5:30 p.m.



~~Lewis Trout, Chair~~

DAVID A. MENDIOLA, VICE-CHAIRMAN

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