

REGIONAL PLANNING COMMISSION MINUTES

The Humboldt County Regional Planning Commission (RPC) meeting was held on Thursday, August 13, 2015 at 5:30 p.m. in the Meeting Room of the Humboldt County Courthouse located at 50 West Fifth Street, Winnemucca, Nevada.

COMMISSIONERS PRESENT

Brad Bauman
Ken Hladek
Jean Kinney
Jennifer Legarza
Vickie Rock
Lewis Trout
Mike White

COMMISSIONERS ABSENT

STAFF PRESENT

Betty Lawrence

Niki Linn

LEGAL COUNSEL

Mike Macdonald

PUBLIC PRESENT

Leon Franklin
Bill Sims
Michael DeSilva
Marie Rolfe
James Kinney
Tebeau Piquet

John Milton
Roger Lundvall
Ron Clark
Patrick Gray
Joyce Sheen
Dave Mendiola

I. OPENING

A. Acting Chair Kinney called the meeting to order. Mr. Bauman led members and guests in the Pledge of Allegiance.

B. Roll call was taken; there was a quorum present.

C. Public Commentary

Acting Chair Kinney called for public comments and hearing none, closed the public comment period.

D. Review, Correction and Approval of Minutes of July 9, 2015

Acting Chair Kinney asked if there were any corrections to the minutes of July 9, 2015 and hearing none, Mr. Bauman made a motion to approve the minutes as submitted. Ms. Rock seconded the motion, which carried with all in favor. Mr. Trout abstained because he was not an appointed RPC member at the July meeting.

E. Election of Officers 2015-2016

Acting Chair Kinney opened nominations for RPC Chair for 2015-2016. Mr. Hladek

nominated Ms. Rock as Chair. Ms. Kinney asked for other nominations. Hearing none, members unanimously approved Ms. Rock as Chair.

Newly appointed Chair Rock called for nominations for Vice-Chair. Mr. Trout nominated Mr. Bauman as Vice-Chair. Ms. Kinney seconded the motion, which carried unanimously.

Chair Rock asked for nominations for the position of Secretary. Mr. Trout nominated Ms. Legarza as Secretary. Ms. Kinney seconded the motion, which carried with all in favor.

F. Requests for Postponement of Agenda Items

Chair Rock asked if there were any requests for postponement of agenda items. Ms. Lawrence stated there were no requests.

II. CONSENT AGENDA - Discussion & Possible Action

A. PW-15-07 A parcel map application submitted by Desert Mountain Surveying, as agent for East Horizon Holdings, to parcel property into 2 lots. Subject property is located on Rim Rock Road off of East Winnemucca Boulevard; assessor's parcel #3638-21-400-008.

Chair Rock asked if any member wished to pull this item down for discussion. Mr. Trout mentioned that staff might have received additional information regarding this item and asked if the item should be pulled down. Mr. Macdonald stated that if discussion is needed, the item should be pulled down to the Public Hearing portion of the meeting, which it was.

Mr. Trout asked Ms. Lawrence if she had received additional information. Ms. Lawrence stated that she had received a comment from Steve West, City Manager, that this item was requested by City of Winnemucca for a City well site. John Milton, Desert Mountain Surveying, representing the applicant introduced himself.

Chair Rock invited comments from the public, of which there were none. Mr. Trout made a motion to approve item PW-15-07 per staff's recommendation. Mr. Hladek seconded the motion, which carried unanimously.

III. PUBLIC HEARING - Discussion & Possible Action

A. UH-15-03 A conditional use permit application submitted by Jimmy Trikeriotis with Nevada Mining Resources to allow an ore processing facility, which will include production of blocks and bricks. Subject properties are located at the corner of Westmoreland Road and W. Commander Drive (assessor's parcel # 3537-15-400-006); the corner of W. Commander Drive and Jays Road (assessor's parcel #3537-15-400-007).

Ms. Lawrence read a letter from Steve West, Winnemucca Humboldt Airport Board Manager, dated August 11, 2015 that was received after the agenda packets were posted (copy on file). Mr. West's letter expressed concerns the Airport Board voiced at a recent meeting related to the possible placement of an ore processing facility at the Airport Industrial Park (AIP). The primary concern was the potential for substantial dust, which could negatively impact airport operations. The Airport Board was also concerned about potential truck traffic from the operation. The Board members felt they did not have adequate detailed information about the proposed facility to fully assess all of the potential negative impacts and generally did not support this proposed facility so close to the airport but perhaps in a more remote location.

Chair Rock invited questions from the RPC. She invited the applicant to come forward. Bill Sims, Humboldt Development Authority (HDA) Coordinator, reported that the applicant, Mr. Trikeriotis, was in Hong Kong so he could not be present. Mr. Sims stated that he has been working with the applicant so he may be able to answer questions about the application.

Chair Rock mentioned that there could be many technical questions and asked Mr. Macdonald if this item could be continued. Mr. Macdonald stated that the preference would be to continue the item until the applicant could be present; however, Mr. Sims could present the item if he wishes. Chair Rock asked Mr. Sims if the applicant indicated his desire to him. Mr. Sims stated he did not; however, Mr. Trikeriotis expected that the RPC would act on this application at this meeting. Mr. Sims added that most important to Mr. Trikeriotis was timeliness because his intention is to have the project up and running by March / April next year.

Chair Rock invited questions or comments from the public. Leon Franklin, Chairman of the Airport Board, stated there was considerable worry about the dust, which could cause problems to jet engines. He stated there was not enough information about the project. Chair Rock asked Mr. Sims if he could address the issue of dust abatement. Mr. Sims reported that Nevada Mining Resources has pledged that there would be no fugitive dust from the project and if necessary, they would pave the roadways. He added that no ore would be stored outside. He asked if this property is not useable for this project, is it useable for anything?

Patrick Gray, HDA, mentioned that the Environmental Protection Agency (EPA) has dust standards that must be met during the building permit process. He agreed that we do not know the extent of the dust from the project and asked if that issue has to be addressed at this point or if it could be included as a condition of approval.

Mr. Sims reported that the plan is to have twenty or fewer 17-ton dump trucks load and unload each day. He reiterated that if the Airport Board is opposed to this type of business, perhaps the property should be taken off the market; or the Airport

should reserve all the property in the vicinity with no development so there is no dust issue.

Mr. Gray mentioned there are several hundred acres in the AIP so in the future there would be increased traffic.

Ms. Lawrence stated that one condition of the use permit is that the applicant will supply the Planning Department with an Air Quality permit or a letter stating that a permit is not required. The applicant will have a dust control plan in place prior to staff signing off on grading or building permits.

Tebeau Piquet, past County Commissioner, stated that State and Federal mining regulations include dust abatement and runoff containment so those issues are covered. He asked Mr. Franklin if this project complies with the airport overlay.

Chair Rock invited questions or comments from the Board. Mr. Trout stated that he had a number of questions but yielded to Mr. Hladek. Mr. Hladek addressed Mr. Sims and mentioned that the processing operations appear to be under a roof with noise and dust control according to the documentation received and asked if that was his understanding. Mr. Sims stated it is and added that the whole success of the process depends on the ability to control dust because the dust would include gold. Mr. Hladek asked if the ore from trucks would be dumped inside or outside. Mr. Sims stated that the ore would be stored in silos inside the building although he is unsure how it would be offloaded from the truck. He clarified there would not be an outdoor stockpile of ore. Mr. Hladek asked how many process lines there would be. Mr. Sims stated that the initial business plan calls for construction of one 100' x 300' x 15' high unit and then the facility production process would be tested and if satisfactory, the other units would be built. He added that material would be transferred pneumatically in closed tubes to make blocks and bricks.

Mr. Trout asked what would happen to the leftover slag. Mr. Sims stated there would be no slag; however, the remaining materials from processing would be used to make blocks, bricks and paving stones. He reiterated that the tailings would be transferred pneumatically. Mr. Trout mentioned that the proposal stated the facility would be open approximately 8 hours per day starting possibly at 6:00 a.m. and asked Mr. Sims if he was aware there is a residential neighborhood across the street, to which Mr. Sims stated he is aware. Mr. Trout asked about the rock crushing and materials processing for extended hours. Mr. Sims stated there would be no crushing at the facility. Mr. Trout referred to the report's production flow diagram, which shows "ore to be crushed". Mr. Sims explained that crushing would be done at the mine site.

Mr. Trout asked if noise decibel levels have been studied associated with the operation. Mr. Sims stated he does not know the decibel level but Mr. Trikeriotis would not set up a noisy operation. Mr. Trout referred to the staff report, which

does not include a staff recommendation but does include a comment regarding the need for certain approvals from Nevada Division of Environmental Protection (NDEP). He asked Mr. Sims to provide detailed information about dust control. Mr. Sims stated that he did not have an answer.

Mr. Hladek reiterated that item three under staff's recommendation states that the applicant will provide the Planning Department with a dust control plan or a letter from NDEP stating that an air quality permit is not required. He added that an air quality permit addresses particles and chemical content.

Ms. Kinney asked if this would be the only facility operated by the applicant. Mr. Sims stated that he did not believe there was another such facility in operation anywhere else although some of the various components are in use.

Mr. Trout reiterated that the business plan states that crushing would occur onsite although it seems to be inconsistent with Mr. Sims' understanding of the plan. He stated that his concern is the impact to the residents unless noise can be mitigated to an acceptable level by using enclosures. Mr. Sims reiterated that all of the material is to be handled inside.

Mr. Gray asked if there are any residential noise standard requirements and asked about the airport standards. Mr. Trout stated that the noise levels for the airport are set by the Federal Aviation Administration (FAA). Mr. Gray asked who decides the noise standard for a project such as the one being proposed. Members agreed that NDEP sets such standards. Mr. Sims stated that Mr. Trikeriotis wishes to be a good neighbor.

Mr. Trout stated that given that the applicant is not present to address the concerns raised and further define the scope, the RPC may not have enough information to make an intelligent decision on this matter. He added that he believes the concept seems fine although this might not be the best location for it. He stated that he is not prepared to vote in favor of or against this item.

Chair Rock suggested that additional conditions could be added to a recommendation. Ms. Lawrence clarified that the conditions cover noise and dust issues and asked what the difference would be from Carry-On opening and closing overhead doors and welding. Ms. Rock clarified that the noise would be a nuisance issue, for which a complaint could be filed. Mr. Trout stated the difference would be that an unmitigated rock crushing operation would exceed the ability to conduct a conversation in the vicinity. He added that the RPC does not know the scope of mitigation the building has in terms of noise mitigation.

Mr. Trout stated that Ms. Rock's suggestion to allow the applicant to present additional information would be extremely helpful. Chair Rock stated that the RPC has the full authority to approve or deny a conditional use permit. She added that there are four options as follows:

- Put forth a motion for approval as it stands
- Put forth an amendment to the conditions and recommend approval
- Recommend disapproval
- Continue the item until the applicant can be present at the next meeting

Mr. Trout mentioned that the Airport Board Chairman also requested a briefing from the proponent, he felt it would be applicable for the applicant to make that presentation, as well as a presentation to the RPC.

Ms. Rock stated that the conditions require the applicant to meet all state and federal requirements.

Mr. White referred to the staff report, Analysis & Findings, Section C, which states that each line is a closed loop set up to contain noise and dust. Mr. Trout stated that he understands the intent; however, he was unsure that a metal building would address the noise component adequately with the proposed rock crushing. Mr. Sims agreed that there was some confusion as to where the rock crushing would occur, on or offsite. He added that he is sure the primary crushing will be done at the mine sites.

Mr. Gray stated that he believed if the applicant were present, he too would want to do everything possible to control noise and dust. He reiterated that the applicant would have to comply with all state and federal regulations. Mr. Hladek stated that Occupational Health and Safety Administration (OSHA) requirements would also have to be met.

Mr. Trout made a motion to continue this item to the September meeting to allow the applicant to brief the Airport Board and to be present at the RPC meeting to provide additional information to assist in the decision-making process. Ms. Kinney seconded the motion which carried. A roll call vote was taken; White – Aye, Kinney – Aye, Rock – Aye, Legarza – Aye, Trout – Aye, Bauman – Nay, Hladek – Nay.

Chair Rock explained that the information provided is available online at http://www.hcnv.us:1403/padocs/08_13_15/UH-15-03/UH-15-03%20Reduced.pdf

Ms. Rock added that the item would be placed on the next meeting agenda. Mr. Trout suggested the possibility of a Special Meeting on August 27. Mr. Sims did not know if the applicant could be present on that date. Chair Rock suggested that if the applicant is out of the country, a conference call could be scheduled. (*Note: The continued item is scheduled for the September 10 RPC meeting.*)

B. UH-15-04 A conditional use permit application submitted by Marie N. Rolfe, CEO of Icon International Foundation, to allow the development of an aquaponics facility, educational facility, residential housing and recreational facilities. Subject properties are located off of Circle Bar Road; assessor's

parcel #'s 3638-01-100-001, 3638-03-200-001, 3638-03-200-002, 3638-03-200-003, 3639-06-100-001, 3738-35-100-001, 3738-36-400-001, 3739-31-100-001.

Ms. Kinney stated that she has a potential conflict of interest on this agenda item; she and her husband own adjacent property. She stated that she would therefore not participate in discussion or action on this item.

Mr. Bauman stated that in his profession as a wildlife biologist, he has received and commented on some of the material being presented and added that if the project moves forward, he will be involved in the permitting process. He clarified that he did not believe there would be any conflict of interest and he felt he could make an impartial decision on the matter.

Mr. Macdonald read the subject assessor's parcel numbers for this item. Ms. Lawrence distributed copies of a site plan.

Chair Rock invited the applicants to tell about the project. Ms. Rolfe reported that Icon International Foundation is an educational, charitable organization, which was organized many years ago with the intention of developing a university. She explained that the proposal being presented includes earth sciences, computer sciences and language leadership. She added that the aquaponics facility amounts to virtually no water use once set up. A number of students will learn about aquaponics to provide food production not only in the United States but abroad. She invited questions from the Board.

Pat Gray stated that he represents Icon International in this business process. He introduced Ron Clark, Operations Manager/Director for Icon. Mr. Clark stated that he has worked on aquaponics technology for the past 12 years and will teach at the school. There is currently no school in North America that teaches this course and this facility will be the largest in North America. Aquaponics produces 400% more food than soil-based technology, while using 10% of the water. It is a closed system and the only thing that leaves the facility is food; everything else is recycled or reused.

Chair Rock asked if the public or staff had any comments on this item. Jim Kinney, who owns property in the subject area, stated his concerns include access and water. He stated his understanding is that the water would come from existing wells through existing water rights. He asked where access is planned. Mr. Gray stated that currently there is access along Circle Bar Road, the railroad and private property. He showed aerial photos of the existing and potential access. Mr. Clark stated that the anticipated truck traffic for the facility would be less than current. He added that dust control has already been budgeted and roads will be built to standard for future paving. He stated that this is a world-class facility with none better anywhere.

Mr. Clark explained some of the technical processes that would be used for the facility. He stated that the weather in Winnemucca will be perfect for the facility.

Mr. Trout asked with which university Icon is affiliated. Mr. Clark explained that Icon is not affiliated with any university at this time although the professors involved are global experts in the field. Mr. Trout asked if the Nevada Institute of Sciences is accredited currently. Ms. Rolfe stated that initially it would not be accredited; however, they are negotiating with a couple other universities that are in the same field.

Mr. Trout referred to the floodplain and mentioned that it appears that all of the proposed buildings are planned above the floodplain. Ms. Rolfe stated that buildings would not be built in the floodplain. Mr. Clark reiterated that water evaporation would be minimal through plants only.

Chair Rock asked if the public, staff or members had any additional comments on this item. Hearing none, she asked the applicants about financing the project and the potential for taxpayer bonds. Mr. Macdonald stated that finances are not an issue to be addressed by the RPC. Ms. Rolfe explained that the bonds would be educational, tax-free bonds. She mentioned that the Carrington Foundation is very interested in the project. She added that local high school students would be invited to participate in the program.

Mr. Gray stated that the project is non-profit; any revenues will be rolled back into the university, scholarships and the community.

Mr. Trout asked Mr. Kinney if his water concerns had been addressed by the applicant, which they were. Mr. Trout referred to the comment from Ben Garrett, Roads Superintendent, that he would like a traffic study. He asked if a traffic study should be added to the conditions. Mr. Macdonald clarified Mr. Garrett's comment that a "traffic study would help". He added that the applicant stated that roads would be built to County standards. Mr. Macdonald stated that the applicant would need to work with the Roads Department; however, a traffic study might not be necessary. Ms. Rolfe stated that only three trucks would be needed; students will live onsite.

Mr. Macdonald stated that he believed the current language in the conditions was sufficient because all requirements are addressed. He mentioned that possible housing in the northeast area of the site plan is on the other side of the Humboldt River so access will have to be addressed via right-of-way from Bureau of Land Management (BLM) or crossing the river. Mr. Clark stated that this site plan is an overall perspective of what they hope to accomplish; however, soil testing, engineering and other aspects will have to be addressed so plans might change based on findings.

Mr. Clark reported that local people would be hired for the project, 3 (possibly 5) per acre for food production.

Chair Rock asked where produce would be sold. Mr. Clark stated that 60% of the product would be sold on a wholesale level; supermarkets are interested. He added that 80% would be restaurant grade.

Mr. Gray summarized that this will be a fun project and community meetings will be held to educate locals.

Mr. Clark reported that when the plant operates at night, blackout curtains are used. He added that lights are focused downward and there have been no complaints from the other facilities.

Mr. Hladek called for the question and made a motion to approve item UH-15-04 per staff's recommendation. Mr. Trout seconded the motion, which carried with all in favor. Ms. Kinney abstained.

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

A. Information to Board regarding the Nevada American Planning Association (APA) Conference to be held in Reno September 13 - 15, 2015.

Ms. Lawrence reported that she provided information on the conference to members. She added that reservations could be made online.

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

Ms. Lawrence had nothing to report.

VI. PUBLIC COMMENTARY

Chair Rock called for comments from the public and hearing none, adjourned the meeting at 7:22 p.m. until September 10, 2015 at 5:30 p.m.



Vickie Rock, Chair