



Humboldt County Board of Commissioners
April 7, 2025 at 8:30 a.m.
Meeting Minutes

Those present were Chairman Mark Evatz, Commissioners Ken Tipton, Jesse Hill and Paige Brooks, Chief Deputy District Attorney Anthony Gordon, County Manager Don Kalkoske and Clerk of the Board Tami Rae Spero. Commissioner Ron Cerri was not in attendance.

CALL TO ORDER: Chairman Evatz called the regular meeting of the Commission to order at the regular place of meeting the Humboldt County Meeting Room, Courthouse, #201, Winnemucca, Nevada.

PLEDGE OF ALLEGIANCE: All present recited the Pledge of Allegiance.

PUBLIC COMMENT: Chairman Evatz asked for public comment. Christina Kenison appeared before the Commission and offered public comment as to an error on agenda item 16 listed as VA-24-06. Chairman Evatz noted the correction to VA25-02. Mrs. Kenison asked legal counsel, Chief Deputy District Attorney Gordon, if this would be an open meeting law violation. Chief Deputy District Attorney Gordon stated that it is more of a clerical mistake. Chairman Evatz noted that they had discussed the issue with Chief Deputy District Attorney Gordon and he had suggested that since everything other than the one number is correct, and there is no substance change to the application, so the Commission could proceed. Mrs. Kenison stated that it made the agenda confusing. Mrs. Kenison continued noting discussion with Manager Kalkoske about the ownership of the airport, at which one of the concurrent resolutions came up including concern with the one dated November 20, 1974 that gives veto power to the City Council and the County Commission on airport board action and that goes against the NRS for the Municipal Airport Code, which, if that is the whole reason, for saying the City owns the airport, it is of high concern. No further public comment offered.

BUDGET: 6TH JUDICIAL DISTRICT COURT (FUND 205): Consideration, discussion and possible approval for the following 6th Judicial District Court budget items: Juvenile Probation (034), District Court (043), Law Library (045), and Specialty Court (208): Judge Michael R. Montero, Juvenile Services Director Pauline Salla and Deputy Comptroller Weston Noyes appeared before the Commission. Juvenile Probation (034): Judge Montero reviewed the request for the Commission. Commissioner Tipton asked about the salary/PERS increases to the Juvenile Probation budget. Director Salla responded. Discussion ensued. Chairman Evatz asked about the special projects line-item. Director Salla responded. Commissioner Hill asked about the Drug Court line-item. Director Salla responded. Chairman Evatz asked about the Capital line-item. Director Salla responded. After discussion the following motion was made Commissioner Hill and passed with Chairman Evatz and Commissioners Tipton, Hill and Brooks voting aye and Commissioner Cerri being absent:

To tentatively approve the Juvenile Services budget.

District Court (043): Chairman Evatz asked about the Contracts and Agreements line-item. Judge Montero responded. Discussion ensued. The following motion was made Commissioner Tipton and passed with Chairman Evatz and Commissioners Tipton, Hill and Brooks voting aye and Commissioner Cerri being absent:

To approve the District Court budget number 043, tentatively.

Law Library (045): Judge Montero reviewed the request for the Commission. The following motion was made Commissioner Brooks and passed with Chairman Evatz and Commissioners Tipton, Hill and Brooks voting aye and Commissioner Cerri being absent:

To tentatively approve Law Library 045.

Specialty Court (208): Judge Montero reviewed the request for the Commission. Discussion ensued regarding the reduction to this budget. The following motion was made Commissioner Brooks and passed with Chairman Evatz and Commissioners Tipton, Hill and Brooks voting aye and Commissioner Cerri being absent:

To tentatively approve the Specialty Court number 208.

APPROVAL OF MINUTES: Discussion and action on correction/approval of minutes for October 1, 2018; October 15, 2018; March 18, 2019; March 25, 2019 (Budget Hearings); April 1, 2019; May 6, 2019; May 15, 2019 (Special); May 20, 2019; June 3, 2019; June 17, 2019; June 5, 2019 (Special); and March 24 & 25, 2025 (Budget Hearings). Chairman Evatz asked for corrections for any of the minutes presented for consideration. None offered. Chairman Evatz and Commissioners Hill and Brooks noted that they would be approving the 2018 and 2019 minutes as to form only as they had not been on the Commission at the time. The following motion was made Commissioner Tipton and passed with Chairman Evatz and Commissioners Tipton, Hill and Brooks voting aye and Commissioner Cerri being absent:

To approve minutes as presented on our agenda as presented.

APPROVAL OF EXPENDITURES FOR HUMBOLDT COUNTY FOR MARCH 17, 2025 THROUGH APRIL 7, 2025: Commissioner Hill asked about a charge under department 014 Personnel. Manager Kalkoske and Comptroller Rackley responded. The following motion was made Commissioner Hill and passed with Chairman Evatz and Commissioners Tipton, Hill and Brooks voting aye and Commissioner Cerri being absent:

To approve the expenditures from March 17, 2025 through April 7, 2025.

TECHNOLOGY SERVICES: Technology Services Director Mike DeTullio appeared before the Commission.

REQUEST TO PURCHASE NETWORK SWITCHES: Consideration, discussion and possible approval to

purchase 8 Catalyst 9000 Compact 12 port network switches and 2 Catalyst 9500 48 port network switches from Amplify SI in an amount not to exceed \$62,751.52. Director DeTullio reviewed the request for the Commission. Chairman Evatz asked about the life expectancy for this equipment. Director DeTullio responded. The following motion was made Commissioner Tipton and passed with Chairman Evatz and Commissioners Tipton, Hill and Brooks voting aye and Commissioner Cerri being absent:

To approve Technology Service Department's request as presented to purchase the 8 Catalyst 9000 Compact 12 port network switches and 2 Catalyst 9500 48 port network switches from Amplify SI in an amount not to exceed \$62,751.52.

REQUEST TO PURCHASE ANYWAVE EQUIPMENT: Consideration, discussion and possible approval to purchase ATSC 3.0 TV equipment from Anywave Communications Technologies in an amount not to exceed \$31,050.00. Director DeTullio reviewed the request for the Commission. The following motion was made Commissioner Brooks and passed with Chairman Evatz and Commissioners Tipton, Hill and Brooks voting aye and Commissioner Cerri being absent:

To approve to purchase ATSC 3.0 TV equipment from Anywave Communications Technologies in an amount not to exceed \$31,050.00.

REQUEST TO PURCHASE OPTIFIBER PRO TOOL: Consideration, discussion and possible approval to purchase a Fluke Networks OptiFiber Pro Quad OTDR Tool from Anixter Inc. in an amount not to exceed \$16,859.23 plus shipping to be determined. Director DeTullio reviewed the request for the Commission. Commissioner Tipton asked what is occurring now to address what this tool is for and how often it may be used. Director DeTullio responded. Chairman Evatz asked how often a contractor has been hired for this need. Director DeTullio responded. Commissioner Hill asked about other suppliers. Director DeTullio responded. Commissioner Hill noted that he would like to see additional quotes and asked what the costs are for a contractor to do this process as well as whether it will be utilized more with all the fiber going in. Director DeTullio responded. Chairman Evatz asked that three quotes be provided in the future. Discussion ensued. The following motion was made Commissioner Hill and passed with Chairman Evatz and Commissioners Tipton, Hill and Brooks voting aye and Commissioner Cerri being absent:

To approve the purchase of a Fluke Networks OptiFiber Pro Quad OTDR Tool from Anixter in an amount not to exceed \$16,859.23.

REQUEST TO WAIVE ATTRITION POLICY: Consideration, discussion and possible approval to waive the attrition policy to hire for a Technology Services Technician position. Director DeTullio reviewed the request for the Commission. Commissioner Hill asked what the primary goal is for the position. Director DeTullio responded. The following motion was made Commissioner Tipton and passed with Chairman

Evatz and Commissioners Tipton, Hill and Brooks voting aye and Commissioner Cerri being absent:

To approve to waive the attrition policy to hire for a Technology Services Technician position.

PUBLIC SAFETY UPDATE: The Technology Services Department will provide a Public Safety Project update. Craig Tyrgstad, Engineering Manager, with CSI Telecommunications, Inc. appeared before the Commission and reviewed a Power Point Presentation for the Commission related to the public safety project update with questions and answers occurring between Mr. Tyrgstad and Director DeTullio and the Commission throughout the presentation including the time frame for completion, concerns with the current need for phase three, staffing impact, why ground preparation at the sites was done prior to building delivery, concerns with the need for additional project management in the interest of moving this along and getting it completed on time and the need to meet deadlines, the needed funding for the 25-26 budget of \$85,000.00 to \$90,000.00, the need for a more streamlined project to get this done and the need for a hard look at what is needed with Phase Three. Chairman Evatz asked for a standing item on one agenda a month for a status update for this project.

Chairman Evatz recessed the meeting at 9:51 a.m. reconvening at 10:00 a.m. and stating that the Commission would be moving to item 16 at this time as it is a public hearing.

COMPTROLLER/AUDITOR: Deputy Comptroller Weston Noyes appeared before the Commission.

BUDGET - CAPITAL PROJECTS (301): Consideration, discussion and possible approval for the following Comptroller/Auditor budget items for the Capital Projects Fund. Manager Kalkoske noted that this budget had been previously tabled due to the need for an update as to the Public Safety Project and reviewed the current requests included in this budget including for the Public Safety Project and renovation and replacement for the existing air handlers and chillers for the courthouse. Chairman Evatz asked if these are firm numbers with accountability associated. Manager Kalkoske responded. Discussion ensued with Chairman Evatz stating that the clear expectation is that all four items included will be taken care of by next year and there will be no funding identified in next year's budget for these projects. After discussion the following motion was made by Commissioner Tipton:

To approve tentatively the budget, except for picking out the \$10,000.00 for furniture in the line item, so the total would \$3,150,000.00.

Chairman Evatz asked about the Grass Valley Sewer Treatment Plan and any capital infrastructure associated with it and questioned whether we are we making any significant progress and if there is any momentum to put any capital in for actually doing some sewer treatment infrastructure construction next year. Manager Kalkoske responded explaining why he did not believe the project would be at that point in the next budget year. Chairman Evatz called Commissioner Tipton's motion to a vote and it passed with

Chairman Evatz and Commissioners Tipton, Hill and Brooks voting aye and Commissioner Cerri being absent.

FINANCIAL REPORT: Humboldt County Comptroller's Office will provide an overview of current conditions with respect to Humboldt County revenues and expenditures for fiscal year 2025 (July 1, 2024 through June 30, 2025). Deputy Comptroller Noyes updated the Commission on the issue with the outstanding CTX funding including the State of Nevada Department of Taxation's response as to the delay. Discussion ensued.

CONVENE THE MCDERMITT GENERAL IMPROVEMENT DISTRICT BOARD: Chairman Evatz called to order the regular meeting of the McDermitt General Improvement District Board at 12:31 p.m.

Public Comment: Chairman Evatz asked for public comment; none offered.

Consideration, discussion and possible approval of the expenditures for the time period March 3, 2025 through April 7, 2025 related to the operation of the McDermitt General Improvement District (GID) for the express purpose of maintaining and improving the water or sewer systems: Copies of the Financial Reports for McDermitt Sewer and Water were provided to the Board for review. The following motion was made by Commissioner and passed with Chairman Evatz and Commissioners Tipton, Hill and Brooks voting aye and Commissioner Cerri being absent:

To approve the expenditures for the McDermitt GID from March 3, 2025 through April 7, 2025 totaling \$3,289.59.

Public Comment: Chairman Evatz asked for public comment; none offered.

Adjournment: Chairman Evatz adjourned the meeting of the McDermitt General Improvement District Board at 12:32 p.m.

TREASURER: Treasurer Rhona Lecumberry appeared before the Commission.

REQUEST BY CITY OF WINNEMUCCA TO ACQUIRE PROPERTY HELD IN TRUST FOR DELINQUENT TAXES: Consideration, discussion, and possible approval of a request from the City of Winnemucca that the County Commission consider transferring three properties listed below to the City per NRS 361.603. 14-0191-06, 14-0191-21 and 14-0191-22. Included on the online agenda for review was a staff report detailing the request with a copy of the City's Request (see attached). City Manager Alicia Heiser appeared before the Commission. Treasurer Lecumberry reviewed the request for the Commission. Manager Heiser expanded on the request for the Commission. The following motion was made by Commissioner Hill and passed with Chairman Evatz and Commissioners Tipton, Hill and Brooks voting aye and Commissioner Cerri being absent:

To approve the request from the City of Winnemucca that the Humboldt County Commission does transfer

three properties listed 14-0191-05 (corrected as the agenda reflected "06" but the attachment indicated "05"), 14-019-21 and 14-091-22 to the City of Winnemucca.

Chairman Evatz stated that the Commission would proceed to item 14 on the agenda at this time.

EMERGENCY MANAGER: Emergency Manager Carol Lynn appeared before the Commission.

REQUEST TO APPROVE CONTINUITY OF OPERATIONS PLAN: Consideration, discussion and possible approval for the Humboldt County Continuity of Operations Plan (COOP) which establishes required procedures in each department during an emergency incident. Manager Lynn reviewed the request for the Commission. Discussion ensued. The following motion was made by Commissioner Hill and passed with Chairman Evatz and Commissioners Tipton, Hill and Brooks voting aye and Commissioner Cerri being absent:

To approve the Humboldt County Continuity of Operations Plan, COOP, which establishes required procedures in each department during an emergency incident and allow the County Manager to sign.

REQUEST TO APPROVE AN EVENT SAFETY PLAN: Consideration, discussion and possible approval for the Event Safety Plan Form and Procedure Plan. Manager Lynn reviewed the request for the Commission. Commissioner Hill asked what the parameters are for what constitutes a large event and when does this process kick in. Discussion ensued including concerns that the Commission had including the impact on event organizers, what the proposal is for moving forward, how this was identified as a need, that this will involve the City and how to proceed. The following motion was made by Commissioner Hill and passed with Chairman Evatz and Commissioners Tipton, Hill and Brooks voting aye and Commissioner Cerri being absent:

To consider this item as a work in progress and take no action on approval at this time.

Chairman Evatz recessed the meeting at 12:52 p.m. reconvening at 12:59 p.m.

JUVENILE SERVICES: Director of Juvenile Services Pauline Salla appeared before the Commission.

REQUEST TO ACCEPT AND APPROVE GRANT AWARD: Consideration, discussion and possible approval to accept a \$500,000 grant award from Fund for Resilient Nevada for the Transitional Living Center Commercial Kitchen project. Director Salla reviewed the request for the Commission. The following motion was made by Commissioner Tipton and passed with Chairman Evatz and Commissioners Tipton, Hill and Brooks voting aye and Commissioner Cerri being absent:

To accept the award through the Fund of Resilient Nevada in the amount of \$500,000.00 with Humboldt County Juvenile Services for the Transitional Living Center Expansion Project.

ECONOMIC DEVELOPMENT:

NOTICE OF OUT OF STATE TRAVEL: Economic Development Officer Michelle Hammond Allen will notify

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the Commission on upcoming out-of-state travel. Manager Kalkoske reviewed the information for the Commission. Chairman Evatz asked for a report once she returns as to the successes.

PLANNING: Senior Planning Technician Betty Lawrence appeared before the Commission.

10:00 A.M. PUBLIC HEARING: Chairman Evatz called the public hearing to order at 10:00 a.m. and read the title of the item set to public hearing.

VARIANCE REQUEST SUBMITTED BY LITHIUM AMERICAS CORP: consideration, discussion and possible approval for the following - A. VA-24-06 - A Variance request submitted by Lithium Americas Corp to increase the allowed height of 3 stories or 35' in the AID zoning district to 137'. The applicant is proposing to place 3 structures (1 @ 40'; 2 @ 137') on the parcel as part of the transloading facility. The property is located west of Airport Road; assessor's parcel #13-0242-01. Notice was sent to property owners 3/21/2025. Included on the online agenda for was a copy of the Planning Department Staff Report recommending approval (see attached) and a copy of the variance application with exhibits and maps. Chairman Evatz asked for public comment. Manager Kalkoske noted several emails received offering public comment similar in nature and read the emailed comment from Kevin Nicotera, Tom Hoss, James Weiser, Victoria King, Michelle Chavez King, Jami Nicotera and Savina King (see attached). Chairman Evatz stated that the seven public comments submitted will be placed in the record.

Debra Gaye appeared before the Commission and provided a letter to the Commission written by her and her husband and read said letter into the record (see attached).

Jami Nicotera appeared before the Commission and offered public comment about this being their home and where they live, potential safety concerns with ways to protect the residents, that she has never received a reply from Lithium addressing the concerns, that she has reached out to Emergency Management to be a part of the plan, that Lithium has not worked to create a positive environment, that she did not know that there was a new application and that the community does not know what is going on; she continued addressing Lithium's application stating that it is not accurate and explaining what is included, that the residents of the area cannot just move as suggested by the Mayor, that she is requesting additional advertised public hearings, what issues this facility will create for the property owners in the area and issues this facility will cause at the airport; she thanked the Board but stated that as a taxpayer they do not want this.

Tom Hoss, appeared before the Commission and offered public comment noting that limiting comment to three minutes reflects poorly on the Commission as this is such an important issue; that this has been voted on previously at which time he had voted against it and he questioned why it is coming back again and why the earlier denial did not hold up; he continued stating that this is taking away the residents

investment in their land and homes as well as their way of life and their rights to live in a safe environment; he continued commenting on the impact of chemical storage next to an airport and that this could shut down the airport and that Humboldt County citizens shouldn't have to fight for their survival to stay on their land and have a healthy environment; he continued commenting on the funding being provided by the federal government for the project, the involvement of a foreign government in this project, that other mines have not used tax payer dollars and he questioned whether all of this is under Lithium Nevada or Lithium America.

Susan Frey with the Thacker Pass Concerned Citizens Working Group and offered public comment stating that she has come here today to support the Grass Valley community as to what is occurring in the Orovada area and her experience with the company; she commented on the lack of opportunity for this community to work with the company, that she does not believe moving this facility is possible at this point, that she doesn't want anybody out there to miss the opportunity to advocate for what their neighborhood needs to minimize the disruption that is coming and offered comments on what items should be looked at as well as statements made in the permit application; she stated that she is advocating for this community to get more transparency and for the Board to assist with that as much as possible and to advocate for everyone to come together and work together.

Christina Kenison appeared before the Commission and offered documentation (exhibits A – K) to be included in the record. Chief Deputy District Attorney Gordon stated the items can be added to the record, that no formal process is required. Chairman Evatz stated that the Commission will consider the documents handed out as part of the official record. Mrs. Kenison stated that she would have questions for Lithium Americas. Chairman Evatz asked that representatives for Lithium Americas pay attention to the questions offered and be prepared to answer said questions during the presentation of the permit application. Discussion ensued regarding the process for the public meeting. Mrs. Kenison asked about the process for this public hearing related to findings. Chief Deputy District Attorney Gordon responded as to what would need to occur. Mrs. Kenison responded that she does not feel that is very clear. Mrs. Kenison continued with her public comment referring to exhibit E and what it shows; exhibit F and what it states; Exhibit B and what it states; Exhibit C and what it indicates; Exhibit K and what it shows; She stated that she does not see any extraordinary circumstances where they would need to do this at the airport property; she continued noting the findings of facts required for this matter. Chief Deputy District Attorney Gordon pointed out what the Board is required to address per Code. Mrs. Kenison continued referring to exhibit C and what it shows as to the current code. No further public comment offered.

Commissioner Hill disclosed for the record to maintain transparency, an appearance of impropriety

brought to his attention by a member of the public, stating that a company that he is a managing member of has provided services for a company working under Lithium Americas; he continued stating that he has reviewed statute and consulted with the attorneys for the Commission and they have concluded that there is no conflict of interest as it pertains to this matter, therefore, he will be exercising his duty to vote on this matter today.

Mrs. Lawrence stated what statutory required public notice had occurred noting that no comments were received from those noticed and the comments read by the County Manager were not property owners who were required to be noticed.

Appearing before the Commission representing Lithium Americas Corporation were Tom Karres, Project Manager and Tim Crowley, External Affairs. Mr. Karres proceeded with reviewing the variance request application for the Commission. Chairman Evatz and Commissioner Tipton asked about the daylight operating hours and discussion ensued. Mr. Karres addressed the traffic study and noted its approval and pending permit issuance. Commissioner Hill asked about the one-year revocation condition. Mr. Karres responded stating that the project would be implemented within the year. Discussion ensued with Commissioner Brooks noting the receipt of the FAA guidelines. Commissioner Tipton thanked Mr. Karres for addressing the questions that were put forth during public comment but noted his understanding of the concerns voiced by the people who live in the area; he commented on the issue identified previously with the variance number indicated on the agenda. Commissioner Hill commented on what had occurred at the hearing back in October with his concerns as to transparency and he thanked Mr. Karres for submitting an application that is much more complete; he continued stating his understanding of the concerns voiced by residents of the area. Commissioner Hill asked how the funds generated for this would be handled. City Manager Alicia Heiser appeared before the Commission and explained that currently that lease revenue for the parcel is going into the Airport Fund and is being used to support airport operations; she continued noting that, based on some of the prior comments and questions which were made, this parcel is shown on the airport layout plan and it is identified as a revenue generating non-aeronautical parcel and the purpose for that is to be in compliance with one of our grant assurances which basically says that the sponsor, which is the city, will take reasonable measures to generate as much revenue and make the airport as self-sufficient as possible so we are not reliant on FAA grants so that was the purpose of acquiring this parcel and for identifying it as a non-aeronautical revenue generating parcel. Discussion ensued regarding the process for public comment.

Chairman Evatz recessed the meeting at 11:24 a.m. reconvening at 11:31 a.m. and asking that public comment be limited to three minutes or less.

Debra Gay appeared before the Commission and offered public comment on NDEP violations they have in other locations stating concern with relying on NDEP and questioned what would happen and who they would go after if something happens here; she commented on the plan to put faith in something that has already been proven that it will allow violations; she offered comment on the issues with the height of the towers and the traffic impacts; she suggested the Commission needs to look deeper before allowing variances.

Christina Kenison appeared before the Commission and offered public comment on the information being provided from the beginning of this issue in 2023 and her lack of ability to review the information being provided along with concerns with the individuals and companies the City was using for review; she continued commenting on the lack of notice for this meeting which resulted in the inability to review the associated information as well as the inability to meet with representatives of the County as planned while representatives of Lithium can which puts the public at a huge disadvantage; she observed that Mr. Gordon didn't seem to know a fraction of what she knows; she asked Alicia Heiser about the FAA scheduling of a land use inspection for the Winnemucca Municipal Airport as there is one scheduled; she continued referring to exhibit 2 in the application for variance and questioning whether the transloading terminal can be built without building or occupying any portion of the second parcel, 13-024-02 and questioned the transparency here as she is asking very valid questions; she asked what the procedure is for a project coming into the county and whether it falls under the correct zoning that is already there and what is the procedure for questioning the validity of the zoning; she continued noting what she had been told by planning staff that the City said that the project meets the zoning requirement and questioned how the City meets behind closed doors and decides the county's business again noting lack of transparency; she continued stating that she had asked Mr. Gordon as to the validity of the lease agreement with the City as there is no legal opinion. Mrs. Kenison requested that any action be tabled until the FAA does their land use inspection so we can find out if there is a problem and explained; she stated her disappointment that Lithium is not showing transparency or working with us by not answering her simple questions.

Tom Hoss appeared before the Commission and offered public comment asking about whether this project is with Lithium America or Lithium Nevada and questioned who the sub will be that will handle the building; he commented on the building of the school in Orovada and that they are not following through on that; he questioned what is occurring with the railroad as he has talked with them and there is no sign of this project so he would like input from the railroad; he continued stating he would like input from the FAA noting what can occur if the tower interferes with runway operation; he commented on his

concerns with the transloading site and the residences which have built up in the area over the years; he asked for information their meeting with the highway commission and any reports generated.

Jami Nicotera appeared before the Commission and offered public comment and thanked the Commission for their consideration and hard work; she explained that this is not just a variance, it is a massive chemical process in her back yard and commented on her concerns.

Christina Kenison appeared before the Commission and offered public comment referencing the Nevada Planning Guide and what is said about variances and discussion she has had with Mr. Crowley about her concerns; that she does not believe the citizens' comments have had any priority in this process; she continued stating that there have been actions taken that show that Lithium Americas is being treated differently and this would be a special thing added that is not given to others; and why a precedence would be set if this variance is granted; she stated that she wanted to make sure that she made all her points for the record because they are not stopping in efforts to protect their homes, property rights, families, children and health; she thanked the Commission for listening.

No further public comment offered.

Chairman Evatz read the title of the item set to public hearing, again noting the clerical error with the variance number on the agenda and apologizing and stated that he would entertain a motion. Chief Deputy District Attorney Gordon suggested that they address Chapter 17.66.02 as to what the required findings are as that would need to be included in any proposed motion. Chairman Evatz read the language of the Code as to what findings must be included "17.66.020 – Humboldt County Code – No variance will be granted unless it is found that A. There are exceptional or extraordinary circumstances or conditions applicable to the property such as size, shape or topography, which do not apply, generally, to other property in the vicinity with the same district; and B. The granting of the variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity with the same zoning and the granting of the variance will not be materially detrimental to the public health, safety and general welfare or injurious to the property and improvements in the area in which the property is located; and D. The variance is necessary for the preservation and enjoyment of the substantial property right of the applicant, which right is possessed by other owners under like conditions in the same district and there is a ordinance 1-5-87a and thirty-one parentheses a. Deputy District Attorney Gordon asked that be made a part of a motion. Chairman Evatz stated, if there is a motion to be made, that you don't need to read all that, just include the capture, the 17.66.020 required findings as it is a mouthful. Commissioner Tipton stated that this isn't about the location of the facility, that's been decided, it is not about the transloading station, it is about the height variance, correct and that is the point he is making.

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The following motion was made by Commissioner Tipton:

To approve the variance VA-25-02, as in the PDF within that was in the correct number on our agenda and that it does meet what you read into the record for was it, 17.66.020, A,B,C and D.

Commissioner Hill asked if Commissioner Tipton would consider including in his motion, a condition on staying within local, state and federal regulations, at all times during construction, operation and decommissioning of this project. Commissioner Tipton responded absolutely and stated that Commissioner Hill's comments be included. Chairman Evatz commented that no matter what might be involved that would be the expectation. Commissioner Hill agreed stating expectations versus having it on record that we still maintain power to revoke the height variance. Discussion ensued regarding the language of the motion. Chairman Evatz called for a vote on the following motion as made by Commissioner Tipton and it passed with Chairman Evatz and Commissioners Tipton, Hill and Brooks voting aye and Commissioner Cerri being absent:

To approve the variance VA-25-02, as in the PDF within that was in the correct number on our agenda and that it does meet what you read into the record for was it, 17.66.020, A,B,C and D including the condition to stay within local, state and federal regulations at all times during construction, operation and decommissioning of this project.

Chairman Evatz stated that the Commission would return to item 12 on the agenda at this time.

PUBLIC WORKS DEPARTMENT: Public Works Director Daniel Ferraro appeared before the Commission.

REQUEST TO PURCHASE PIPE: Consideration, discussion and possible approval to purchase pipe for the Lambert Drive Bridge Widening project from Ferguson in an amount not to exceed \$13,924.67. Included on the online agenda for review was a copy of the staff report detailing the request and the quotes received from both Ferguson and Western Nevada Supply. Director Ferraro reviewed the request for the Commission. Discussion ensued. The following motion was made by Commissioner Brooks and passed with Chairman Evatz and Commissioners Tipton, Hill and Brooks voting aye and Commissioner Cerri being absent:

To approve to purchase pipe for the Lambert Drive Bridge Widening project from Ferguson in an amount not to exceed \$13,924.67

GENERAL ROAD PROJECTS: A presentation by Humboldt County Public Works Director Dan Ferraro to update the Board on Road projects within Humboldt County, however, no action may be taken on a matter raised until the matter itself has been specifically included on the agenda as an item upon which action may be taken. Director Ferraro reviewed the status of the tank inspections, a resignation in the department, the status of the mag chloride bid and the status of the meter installation project for Gold

Country/Star City. Chairman Evatz commented on work done with graveling and thanked the department for the work but asked that they not start with his road in the future due to the appearance of favoritism.

WINNEMUCCA EVENT COMPLEX: WCVA Director Kim Petersen appeared before the Commission.

REQUEST TO APPROVE LANDSCAPE AND IRRIGATION PROJECT: Consideration, discussion and possible approval for the landscape and irrigation project in an amount not to exceed \$90,000.00. Director Petersen reviewed the request for the Commission providing a hand out to the Commission detailing the estimated costs. Chairman Evatz noted that Director Petersen had reached out to him due to time constraints and he had directed Director Petersen to go ahead instead of coming in will all the official bids, as long as he would make a firm commitment to the Board that he would get competitive bidding on all the items that are applicable to this comprehensive project; he suggested that if it doesn't suit the desires of the Commission we can not make a motion but it was done as timing was of the essence.

Commissioner Hill disclosed for the record that the company, of which he is a managing member, will not be bidding on this work but that he had consulted with Director Petersen as this is the company's specialty; he continued noting his concern that the Commission may be setting precedence here and while he understands the timing issue and the intent to go out to bid, there are no checks and balances here which is part of our policy that we bring these type of things to the Commission for approval; he stated he wants to determine the correct way to do this without setting precedence but commended Director Petersen for going out and trying to do this work in-house to save money; he again stated his concern with the contracting piece. Chairman Evatz stated that his communication with Director Petersen had been that this would be a one-off, that this would not be approved again but he stated that he understood Commissioner Hill's concerns. Director Petersen explained what he had done with local landscaping companies to obtain the proposals; he explained why he had to contract the project due to current projects being handled by staff and his concerns that the busy season is coming up so there is a need to complete the project. Discussion ensued about what is being contracted, how costs were obtained, Commissioner Hill's concerns and what the whole project includes. Commissioner Tipton stated that he believes that we need to move on this and explained but noted his understanding of Commissioner Hill's concerns. Commissioner Brooks concurred as long as Manager Kalkoske and a Commissioner look at it. Commissioner Hill stated he would be okay with it as long as there are at least two competitive bids for the contractor portion and they meet all compliance requirements and the Manager makes sure compliance is met. The following motion was made by Commissioner Brooks and passed with Chairman Evatz and Commissioners Tipton, Hill and Brooks voting aye and Commissioner Cerri being absent:

To approve the landscape and irrigation project in an amount not to exceed \$90,000.00.

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Discussion ensued regarding the next fiscal year projects and when the processes can begin to pursue those items.

SHERIFF: Sheriff Angel Cardenas, Undersheriff Damon Kalkoske, Captain Sean Wilkin and Deputy Tyler Krause appeared before the Commission.

REQUEST TO PURCHASE MOTORCYCLES: Consideration, discussion and possible approval to purchase 2 fully equipped, used BMW motorcycles from Utah Highway Patrol in an amount not to exceed \$21,982.00. Captain Wilkin reviewed the request for the Commission. Discussion ensued including that this is not a budgeted request and would require a budget augmentation. The following motion was made by Commissioner Hill and passed with Chairman Evatz and Commissioners Tipton, Hill and Brooks voting aye and Commissioner Cerri being absent:

To purchase 2 fully equipped, used BMW motorcycles from Utah Highway Patrol in an amount not to exceed \$21,982.00.

.....
REQUEST TO PURCHASE FIREARMS AND SUPPRESSORS: Consideration, discussion and possible approval to purchase 23 firearms with 23 suppressors from ProForce Law Enforcement in an amount not to exceed \$18,280.00. Captain Wilkin reviewed the request for the Commission. Discussion ensued including where these would be budgeted from. The following motion was made by Commissioner Brooks and passed with Chairman Evatz and Commissioners Tipton, Hill and Brooks voting aye and Commissioner Cerri being absent:

To purchase twenty-three firearms with twenty-three suppressors from ProForce Law Enforcement in an amount not to exceed \$18,280.00.

REQUEST TO PURCHASE VEHICLES: Consideration, discussion and possible approval to purchase 5 vehicles from Enterprise Leasing in an amount not to exceed \$9,117.00. Captain Wilkin reviewed the request for the Commission. After discussion the following motion was made by Commissioner Brooks and passed with Chairman Evatz and Commissioners Tipton, Hill and Brooks voting aye and Commissioner Cerri being absent:

To approve the purchase of five vehicles from Enterprise Leasing in an amount not to exceed \$9,117.00.

REQUEST TO PURCHASE HANDHELD RADIOS: Consideration, discussion and possible approval to purchase 6 Viking handheld portable radios from Epic Marketing in an amount not to exceed \$35,361.68. Discussion ensued. The following motion was made by Commissioner Brooks and passed with Chairman Evatz and Commissioners Tipton, Hill and Brooks voting aye and Commissioner Cerri being absent:

To approve the purchase of six Viking handheld portable radios from Epic Marketing in an amount not to exceed \$35,361.68.

REQUEST TO TRANSFER DECOMMISSIONED VEHICLE: Consideration, discussion and possible approval to transfer a 2018 Chevrolet Tahoe which has been decommissioned as a patrol vehicle to Facility Operations. Captain Wilkin reviewed the request for the Commission. The following motion was made by Commissioner Hill and passed with Chairman Evatz and Commissioners Tipton, Hill and Brooks voting aye and Commissioner Cerri being absent:

To approve the transfer a 2018 Chevrolet Tahoe which has been decommissioned as a patrol vehicle to the Facility Operations Department.

Commissioner Brooks brought up an issue out toward the trap shooting range and access to the gravel pit and shooting occurring in said pit and concerns related to the residents in the area. Sheriff Cardenas stated they would look into the issue.

REQUEST TO PROCLAIM APRIL 2025 AS "DONATE LIFE MONTH": Consideration, discussion and possible approval to proclaim April 2025 as "Donate Life Month." The following motion was made by Commissioner Hill and passed with Chairman Evatz and Commissioners Tipton, Hill and Brooks voting aye and Commissioner Cerri being absent:

To approve to proclaim April 2025 as "Donate Life Month".

(Resolution No. 04-07-25)

REQUEST TO PROCLAIM APRIL 2025 AS "NATIONAL CHILD ABUSE PREVENTION MONTH": Consideration, discussion and possible approval to proclaim April 2025 as "National Child Abuse Prevention Month." The following motion was made by Commissioner Brooks and passed with Chairman Evatz and Commissioners Tipton, Hill and Brooks voting aye and Commissioner Cerri being absent:

To approve April 2025 as "National Child Abuse Prevention Month".

(Resolution No. 04-07-25a)

REQUEST TO PROCLAIM APRIL 2025 AS "SEXUAL ASSAULT AWARENESS MONTH": Consideration, discussion and possible approval to proclaim April 2025 as "Sexual Assault Awareness Month." The following motion was made by Commissioner Tipton and passed with Chairman Evatz and Commissioners Tipton, Hill and Brooks voting aye and Commissioner Cerri being absent:

To approve to proclaim April 2025 as "Sexual Assault Awareness Month".

(Resolution No. 04-07-25b)

COUNTY MANAGER: County Manager Don Kalkoske appeared before the Commission.

AGRICULTURE DISTRICT 3 BOARD VACANCIES: Consideration, discussion and possible approval to determine the direction associated with two upcoming board vacancies on the Agriculture District 3 Board which will be vacant as of June 30, 2025. Manager Kalkoske reviewed the request for the Commission.

04/07/2025

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The following motion was made by Commissioner and passed with Chairman Evatz and Commissioners Tipton, Hill and Brooks voting aye and Commissioner Cerri being absent:

To advertise for board vacancies and to encourage those that are on the board, if they are interested, to re-apply.

REQUEST TO APPROVE NDEP/SRF LOAN CONTRACT FOR GOLD COUNTRY/STAR CITY INTERTIE PROJECT:

Consideration, discussion and possible approval for DW2409 NDEP/SRF Loan Contract for Gold Country/Star City Intertie water system project in an amount not to exceed \$248,000 with 0.00% interest and 100% subsidy on this loan. Manager Kalkoske reviewed the request for the Commission. Chairman Evatz asked what is occurring for this cost. Manager Kalkoske responded. Commissioner Tipton asked if there would be a benefit of drilling the wells deeper. Manager Kalkoske responded. Discussion ensued.

The following motion was made by Commissioner Tipton and passed with Chairman Evatz and Commissioners Tipton, Hill and Brooks voting aye and Commissioner Cerri being absent:

To approve DW2409 NDEP/SRF Loan Contract for Gold Country/Star City Intertie water system project in an amount not to exceed \$248,000 with 0% interest and 100% subsidy on this loan.

MISCELLANEOUS REPORTS AND CORRESPONDENCE

1) Other information and upcoming meetings: No meetings listed on the agenda.

2) Reports from Commissioners regarding other Boards and Committees on which they serve: Commissioner Brooks offered no report. Commissioner Tipton reported on a Public Lands/Natural Resources meeting, (*Chief Deputy District Attorney Gordon departed the meeting at 1:56 p.m.*), a NACO meeting and a WIR meeting; he noted an upcoming Western Interstate Region's meeting in May. Discussion ensued regarding legislative bills. Commissioner Hill offered no report. Chairman Evatz offered no report.

FUTURE AGENDA ITEMS: Whether an item will be placed on a future agenda will be subject to the chairman and/or legal counsel's determination. Manager Kalkoske identified the following items for future agendas: the Event Safety Plan proposal noting the need to involve WCVA Director Petersen in that process, the Ag District 3 appointments and the communication project updates. No further items identified.


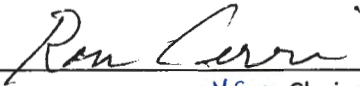
PUBLIC COMMENT: Chairman Evatz asked for public comment. County Clerk Tami Rae Spero offered public comment noting both her and Deputy Clerk Koepke's upcoming out of state travel for their respective roles with the U.S. Elections Assistance Commission. Chairman Evatz offered comment on the flexibility in the public comment piece of today meeting and explained that the three-minute limit is not designated to squash participation but is designed to have them be impactful in three minutes or less and

04/07/2025

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to allow for the Commission to have more questions and probe the information provided; he stated his appreciation to the Commission for their patience in the way he facilitated the comment noting that it is cool that we have such passionate residents in Humboldt County, noting that hopefully the passion isn't just for what is in your backyard but for what's out there for the entire county Mark Evatz offered public comment as an individual as to our small community and the talented folks we have, such as Commissioners Tipton and Cerri and our Clerk's Office, who are advocating for what is right at a national level. No further public comment offered.

ADJOURNMENT: Chairman Evatz adjourned the meeting at 2:08 p.m.

ATTEST:  Clerk APPROVED:  Vice-Chairman

(Minutes approved by the Commission and signed by the Chairman on 04.21.2025)

Notice of Public Meeting
Humboldt County Board of Commissioners Regular Meeting
Monday, April 7, 2025
8:30 AM

Humboldt County Courthouse Meeting Room 201
50 West Fifth Street,
Winnemucca, NV 89445

FOR TELECONFERENCE OR VIDEO CONFERENCE ACCESS

Click here to join the meeting:
[Join the meeting now](#)

Or by phone: +1 775-446-0241, Conference ID: 738 900 918#

All times on this agenda are approximate. Consideration of items may require more or less time than is scheduled. Items on the agenda may be taken out of order; the public body may combine two or more agenda items for consideration; and the public body may remove an item from the agenda or delay discussion relating to an item on the agenda at any time. Public comment is designated for discussion only. The public has the opportunity to address the Commission on any matter not appearing on the agenda; however, no action may be taken on the matter raised until the matter itself has been specifically included on the agenda as an item upon which action may be taken. Additionally, public comment may be heard on any item listed on the Agenda. Persons are invited to submit comments in writing and/or attend and make comments on any agenda item at the Commission meeting. All public comment may be limited to three (3) minutes per person, at the discretion of the Commission.

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. PUBLIC COMMENT:

General public comment is designated for discussion only. The public has the opportunity to address the Commission on any matter not appearing on this agenda; however, no action may be taken on a matter raised until the matter itself has been specifically included on the agenda as an item upon which action may be taken.

Additionally, public comment may be heard on any item listed on the Agenda. Persons are invited to submit comments in writing and/or attend and make comments on any agenda item at the Commission meeting. All public comment may be limited to three (3) minutes per person, at the discretion of the Commission.

5. BUDGET: 6TH JUDICIAL DISTRICT COURT (FUND 205) (FOR POSSIBLE ACTION)

Consideration, discussion and possible approval for the following 6th Judicial District Court budget items:

- A. Juvenile Probation (034)
- B. District Court (043)
- C. Law Library (045)
- D. Specialty Court (208)

Discussion and possible action.

6. APPROVAL OF MINUTES (POSSIBLE ACTION)

Discussion and action on correction/approval of minutes for March 27, 2017 (Budget Hearing); April 3, 2017; May 1, 2017 (Joint); May 15, 2017; June 19, 2017; July 10, 2017; August 7, 2017 (Joint); August 21, 2017; December 11, 2017 (Joint); January 16, 2018; January 29, 2018 (Retreat); February 5, 2018; February 20, 2018; March 5, 2018; April 2, 2018 (Budget Hearing); April 9, 2018; August 6, 2018; August 20, 2018; September 17, 2018; October 1, 2018; October 15, 2018; March 18, 2019; March 25, 2019 (Budget Hearings); April 1, 2019; May 6, 2019; May 15, 2019 (Special); May 20, 2019; June 3, 2019; June 17, 2019; June 5, 2019 (Special); and March 17, 2025. Discussion and possible action.

6.A) Minutes

[HCC100118unapprovedUNOFFICIAL.pdf](#) HCC †
[Budget Hearings 2019-UNOFFICIAL.pdf](#) †
[HCC101518unapprovedUNOFFICIAL.pdf](#) †
[HCC031819unapprovedUNOFFICIAL.pdf](#) †
[HCC040119unapprovedUNAPPROVED.pdf](#) †
[HCC050619unapprovedUNOFFICIAL.pdf](#) †
[HCC051519unapprovedUNOFFICIAL.pdf](#) †
[HCC052019unapprovedUNOFFICIAL.pdf](#) †
[HCC060319unapprovedUNOFFICIAL.pdf](#) †
[HCC061719unapprovedUNOFFICIAL .pdf](#) †
[HCC25-26BudgetsunapprovedUNOFFICIAL.pdf](#) †

7. APPROVAL OF EXPENDITURES FOR HUMBOLDT COUNTY FOR MARCH 17, 2025 THROUGH APRIL 7, 2025 (POSSIBLE ACTION)

8. TECHNOLOGY SERVICES: REQUEST TO PURCHASE NETWORK SWITCHES; REQUEST TO PURCHASE ANYWAVE EQUIPMENT; REQUEST TO PURCHASE OPTIFIBER PRO TOOL; REQUEST TO WAIVE ATTRITION POLICY (POSSIBLE ACTION); PUBLIC SAFETY UPDATE (INFORMATION ONLY)

- A. Consideration, discussion and possible approval to purchase 8 Catalyst 9000 Compact 12 port network switches and 2 Catalyst 9500 48 port network switches from Amplify SI in an amount not to exceed \$62,751.52. Discussion and possible action.

- B. Consideration, discussion and possible approval to purchase ATSC 3.0 TV equipment from Anywave Communications Technologies in an amount not to exceed \$31,050.00. Discussion and possible action.
- C. Consideration, discussion and possible approval to purchase a Fluke Networks OptiFiber Pro Quad OTDR Tool from Anixter Inc. in an amount not to exceed \$16,859.23 plus shipping to be determined. Discussion and possible action.
- D. Consideration, discussion and possible approval to waive the attrition policy to hire for a Technology Services Technician position. Discussion and possible action.
- E. Technology Services Department will provide a Public Safety Project update. Information only.

8.A) TSD

- [TSD - Optifiber Pro Tool.pdf](#)
- [TSD - Purch Anywave Equip.pdf](#)
- [TSD FY24-25 SWITCH PURCHASES.pdf](#)
- [TSD Waiver of Attrition Policy.pdf](#)
- [TSD CSI Pub Safety Comm Site Upgrade Update 3.pdf](#)

9. BUDGET: COMPTROLLER/AUDITOR - CAPITAL PROJECTS (301) (FOR POSSIBLE ACTION)

Consideration, discussion and possible approval for the following Comptroller/Auditor budget items:

A. Capital Projects (301)

Discussion and possible action.

10. CONVENE THE MCDERMITT GENERAL IMPROVEMENT DISTRICT BOARD (POSSIBLE ACTION)

- A. Public Comment
- B. Consideration, discussion and possible approval of the expenditures for the time period March 3, 2025 through April 7, 2025 related to the operation of the McDermitt General Improvement District (GID) for the express purpose of maintaining and improving the water or sewer systems. Discussion and possible action.
- C. Public Comment
- D. Adjournment

10.A) McDermitt

- [McDermitt Sewer Financial Report - 03.24.25.pdf](#)
- [McDermitt Water Financial Report - 03.24.25.pdf](#)

11. COMPTROLLER: FINANCIAL REPORT (INFORMATIONAL ONLY)

Humboldt County Comptroller's Office will provide an overview of current conditions with respect to Humboldt County revenues and expenditures for fiscal year 2025 (July 1, 2024 through June 30, 2025). Information Only.

12. TREASURER: REQUEST BY CITY OF WINNEMUCCA TO ACQUIRE PROPERTY HELD IN TRUST FOR DELINQUENT TAXES (POSSIBLE ACTION)

Consideration, discussion, and possible approval of a request from the City of Winnemucca that the County Commission consider transferring three properties listed below to the City per NRS 361.603.

14-0191-06

14-0191-21

14-0191-22

Discussion and possible action.

12.A) Treasurer

[Staff Report - Request to Acquire Property by City of Winnemucca.pdf](#)

13. EMERGENCY MANAGER: REQUEST TO APPROVE CONTINUITY OF OPERATIONS PLAN; REQUEST TO APPROVE AN EVENT SAFETY PLAN (POSSIBLE ACTION)

- A. Consideration, discussion and possible approval for the Humboldt County Continuity of Operations Plan (COOP) which establishes required procedures in each department during an emergency incident. Discussion and possible action.
- B. Consideration, discussion and possible approval for the Event Safety Plan Form and Procedure Plan. Discussion and possible action.

13.A) County Manager

[3-18-25 Staff Agenda - COOP approval.pdf](#)

[3-18-25 Staff Agenda - Event Safety Plan.pdf](#)

[Event Safety Plan.pdf](#)

[H. Co. COOP 2025 - Part 1.pdf](#)

[H. Co. COOP 2025 - Part 2.pdf](#)

14. JUVENILE SERVICES: REQUEST TO ACCEPT AND APPROVE GRANT AWARD (POSSIBLE ACTION)

Consideration, discussion and possible approval to accept a \$500,000 grant award from Fund for Resilient Nevada for the Transitional Living Center Commercial Kitchen project. Discussion and possible action.

14.A) Juvenile Services

[Staff Report - Grant Award 031125.pdf](#)

[FRN Award Packet.pdf](#)

15. ECONOMIC DEVELOPMENT: NOTICE OF OUT OF STATE TRAVEL (INFORMATION ONLY)

Economic Development Officer Michelle Hammond Allen will notify the Commission on upcoming out-of-state travel. Information only.

15.A) Economic Development Notice of Travel

[25Apr7_MHA GOED Travel.pdf](#)

16. 10:00 A.M. PUBLIC HEARING: VARIANCE REQUEST SUBMITTED BY LITHIUM AMERICAS CORP (POSSIBLE ACTION)

Consideration, discussion and possible approval for the following:

- A. **VA-24-06** - A Variance request submitted by Lithium Americas Corp to increase the allowed height of 3 stories or 35' in the AID zoning district to 137'. The applicant is proposing to place 3 structures (1 @ 40'; 2 @ 137') on the parcel as part of the transloading facility. The property is located west of Airport Road; assessor's parcel #13-0242-01. Notice was sent to property owners 3/21/2025. Discussion and possible action.

16.A) Public Hearing

[Public Hearing - VA-25-02.pdf](#)

17. PUBLIC WORKS DEPARTMENT: REQUEST TO PURCHASE PIPE (POSSIBLE ACTION); GENERAL ROAD PROJECTS (INFORMATION ONLY)

- A. Consideration, discussion and possible approval to purchase pipe for the Lambert Drive Bridge Widening project from Ferguson in an amount not to exceed \$13,924.67.
- B. A presentation by Humboldt County Public Works Director Dan Ferraro to update the Board on Road projects within Humboldt County, however, no action may be taken on a matter raised until the matter itself has been specifically included on the agenda as an item upon which action may be taken.

17.A) Public Works

[Staff Report Lambert Pipe.pdf](#)
[Quotes.pdf](#)

18. WINNEMUCCA EVENT COMPLEX: REQUEST TO APPROVE LANDSCAPE AND IRRIGATION PROJECT (POSSIBLE ACTION)

Consideration, discussion and possible approval for the landscape and irrigation project in an amount not to exceed \$90,000. Discussion and possible action.

18.A) WEC Landscape & Irrigation project

[WEC - Landscape & Irrigation project.pdf](#)

19. SHERIFF: REQUEST TO PURCHASE MOTORCYCLES; REQUEST TO PURCHASE FIREARMS AND SUPPRESSORS; REQUEST TO PURCHASE VEHICLES; REQUEST TO PURCHASE HANDHELD RADIOS; REQUEST TO TRANSFER DECOMMISSIONED VEHICLE (POSSIBLE ACTION)

- A. Consideration, discussion and possible approval to purchase 2 fully equipped, used BMW motorcycles from Utah Highway Patrol in an amount not to exceed \$21,982.

Discussion and possible action.

- B. Consideration, discussion and possible approval to purchase 23 firearms with 23 suppressors from ProForce Law Enforcement in an amount not to exceed \$18,280. Discussion and possible action.
- C. Consideration, discussion and possible approval to purchase 5 vehicles from Enterprise Leasing in an amount not to exceed \$9,117. Discussion and possible action.
- D. Consideration, discussion and possible approval to purchase 6 Viking handheld portable radios from Epic Marketing in an amount not to exceed \$35,361.68. Discussion and possible action.
- E. Consideration, discussion and possible approval to transfer a 2018 Chevrolet Tahoe which has been decommissioned as a patrol vehicle to Facility Operations. Discussion and possible action.

19.A) Sheriff

[April 7 Agenda Items.pdf](#)

20. REQUEST TO PROCLAIM APRIL 2025 AS "DONATE LIFE MONTH"
(POSSIBLE ACTION)

Consideration, discussion and possible approval to proclaim April 2025 as "Donate Life Month." Discussion and possible action.

20.A) Donate Life Proclamation

[Proclamation Donate Life Month April 2025.pdf](#)

21. REQUEST TO PROCLAIM APRIL 2025 AS "NATIONAL CHILD ABUSE
PREVENTION MONTH" (POSSIBLE ACTION)

Consideration, discussion and possible approval to proclaim April 2025 as "National Child Abuse Prevention Month." Discussion and possible action.

21.A) Proclamation - National Child Abuse Prevention 2025

[Proclamation National Child Abuse Prevention Month April 2025.pdf](#)

22. REQUEST TO PROCLAIM APRIL 2025 AS "SEXUAL ASSAULT AWARENESS
MONTH" (POSSIBLE ACTION)

Consideration, discussion and possible approval to proclaim April 2025 as "Sexual Assault Awareness Month." Discussion and possible action.

22.A) Proclamation - Sexual Assault Awareness 2025

[Proclamation Sexual Assault Awareness Month April 2025.pdf](#)

23. COUNTY MANAGER: AGRICULTURE DISTRICT 3 BOARD VACANCIES
(POSSIBLE ACTION)

Consideration, discussion and possible approval to determine the direction associated with two upcoming board vacancies on the Agriculture District 3 Board which will be vacant as of June 30, 2025. Discussion and possible action.

23.A) County Manager

[Staff Report - AG3 board appointment procedures 04072025.pdf](#)

24. COUNTY MANAGER: REQUEST TO APPROVE NDEP/SRF LOAN CONTRACT FOR GOLD COUNTRY/STAR CITY INTERTIE PROJECT (POSSIBLE ACTION)

Consideration, discussion and possible approval for DW2409 NDEP/SRF Loan Contract for Gold Country/Star City Intertie water system project in an amount not to exceed \$248,000 with 0.00% interest and 100% subsidy on this loan. Discussion and possible action.

24.A) County Manager

[Staff Report - DW2409 Contract 04072025.pdf](#)
[DW2409 Gold Country Intertie - DRAFT.pdf](#)

25. MISCELLANEOUS REPORTS AND CORRESPONDENCE

1. Other information and upcoming meetings:
2. Reports from Commissioners regarding other Boards and Committees on which they serve, including POOL/PACT Board, National Wild Horse & Burro Advisory Board, Nevada Association of Counties (NACO), Regional Airport Board, Humboldt River Basin Water Authority (HRBWA), Central Nevada Regional Water Authority (CNRWA), Western Interstate Region (WIR), Legislative Interim Land Council, Humboldt Development Authority (HDA), Winnemucca Visitors & Convention Authority (WCVA), Hospital Board, Humboldt Foundation, Humboldt County Elk Planning Steering Committee, Paradise Conservation District and the State Land Use Planning Advisory Council (SLUPAC).

26. FUTURE AGENDA ITEMS

Whether an item will be placed on a future agenda will be subject to the chairman and/or legal counsel's determination.

27. PUBLIC COMMENT:

Public comment is designated for discussion only. The public has the opportunity to address the Commission on any matter not appearing on the agenda; however, no action may be

taken on the matter raised until the matter itself has been specifically included on the agenda as an item upon which action may be taken. Additionally, public comment may be heard on any item listed on the Agenda. Persons are invited to submit comments in writing and/or attend and make comments on any agenda item at the Commission meeting. Additionally, public comment may be heard on any item listed on the Agenda. Persons are invited to submit comments in writing and/or attend and make comments on any agenda item at the Commission meeting. All public comment may be limited to three (3) minutes per person, at the discretion of the Commission.

28. ADJOURNMENT

29. NOTICE:

The County Commission may close the meeting to receive information from legal counsel pursuant to Nevada Revised Statutes 241.015.

The public is welcome to attend the meeting electronically via Microsoft Teams or by appearing in person at the location at the time and date listed on the first page of this agenda. There will be a physical location for the meeting; however, the meeting may be accessed electronically through an internet connection at Microsoft Teams link located on the first page of this agenda.

Staff reports and supporting material posted for the meeting are available on the Humboldt County website at <https://www.humboldtcountynev.gov/> (click on the "Government" link on the home page) if that information was available when the agenda was posted. If the supporting material/ staff report is not included in the agenda packet, it is available to the general public at the same time the materials are provided to the Board. The administrative assistant at the County Manager's Office located at 50 West 5th Street, Winnemucca, Nevada, telephone number 775-623-6300 is the designated person from whom a member of the public may request the supporting material for this meeting and the County Manager's Office is the location where the supporting material is available to the public.

CERTIFICATE OF POSTING

PLACES POSTED: Humboldt Co. Courthouse, 50 W. 5th St., Rooms 201, 205, & 207 at 9:00 A.M. By: MC

Humboldt County Website: <https://www.humboldtcountynv.gov> at _____, By: _____

State of Nevada Website: www.notice.nv.gov, _____ A.M. By: _____

MEETING DATE: April 7, 2025
DATE POSTED: April 2, 2025 POSTED BY: MICHELLE COOK

NOTE FOR SUPPORTING MATERIAL: A copy of the supporting material for the meeting may be obtained at Commissioner meeting/agendas on the Humboldt County website: www.hcnv.us or by contacting the County Manager's Office, at 50 W. Fifth Street, Winnemucca, Nevada 89445. (775) 623-6300.

NOTICE TO PERSONS WITH DISABILITIES - Reasonable efforts will be made to assist and accommodate physically disabled persons desiring

to attend the meeting. Please call the Humboldt County Administrator's Office at 623-6300 in advance so that arrangements may be conveniently made.

EQUAL OPPORTUNITY NOTICE - Humboldt County is an Equal Opportunity Employer and will not discriminate against employees or applicants for employment or services in an unlawful manner.

NON-DISCRIMINATION STATEMENT - In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotope, American Sign Language, etc.) should Contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-9339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at http://www.ascr.usda.gov/complaint_filing_cust.html and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

(1) Mail: U.S. Department of Agriculture

Office of the Assistant Secretary for Civil Rights

1400 Independence Avenue, SW

Washington, D.C. 20250-9410;
fax: (202) 690-7422; or
email: intake@usda.gov

USDA is an equal opportunity provider, employer, and lender.

Michelle Cook

From: king.savina@mail.com
Sent: Monday, April 7, 2025 8:56 AM
To: Michelle Cook; kevinjami@msn.com; Don Kalkoske; debbie.gay@protonmail.com; sweetserenity08@yahoo.com; Tami Spero
Subject: Fwd: Fwd: Lithium - Airport Variance

Lithium - Airport Variance

Savina King

Attention Humboldt County Commissioners,

The Humboldt County residents believe there is a better solution or location for the Lithium Transloading Facility. Please read into the record on Monday April 7th, 2025 Humboldt County Commissioners meeting during the public hearing. The Joint owned Winnemucca Airport is vital to this community. The proposed Airport property is not zoned for heavy Industrial use & is not compatible land use at our Airport. At this time I am asking you not approve the Lithium Variance as you have done before. Thank you for protecting our property rights & keeping our county safe.

Humboldt County Resident;
Michelle King

Lithium Variance Application

https://legistarweb-production.s3.amazonaws.com/uploads/attachment/pdf/3234564/Public_Hearing_-_VA-25-02.pdf

Tami Spero

From: Michelle Chavez-King <mchavezking@gmail.com>
Sent: Sunday, April 6, 2025 6:04 PM
To: Michelle Cook; Don Kalkoske; Tami Spero; sweetserenity08@yahoo.com; debbie.gay@protonmail.com; kevinjami@msn.com
Subject: Lithium - Airport Variance

Attention Humboldt County Commissioners,

The Humboldt County residents believe there is a better solution or location for the Lithium Transloading Facility. Please read into the record on Monday April 7th, 2025 Humboldt County Commissioners meeting during the public hearing. The Joint owned Winnemucca Airport is vital to this community. The proposed Airport property is not zoned for heavy Industrial use & is not compatible land use at our Airport. At this time I am asking you not approve the Lithium Variance as you have done before. Thank you for protecting our property rights & keeping our county safe.

Humboldt County Resident;
Michelle King

Lithium Variance Application

[https://legistarweb-production.s3.amazonaws.com/uploads/attachment/pdf/3234564/Public_Hearing - VA-25-02.pdf](https://legistarweb-production.s3.amazonaws.com/uploads/attachment/pdf/3234564/Public_Hearing_-_VA-25-02.pdf)

Tami Spero

From: Victoria King <blacrose@mail.com>
Sent: Sunday, April 6, 2025 6:32 PM
To: Michelle Cook; Don Kalkoske; Tami Spero; sweetserenity08@yahoo.com; debbie.gay@protonmail.com; kevinjami@msn.com
Subject: Lithium - Airport Variance

Attention Humboldt County Commissioners,

The Humboldt County residents believe there is a better solution or location for the Lithium Transloading Facility. Please read into the record on Monday April 7th, 2025 Humboldt County Commissioners meeting during the public hearing. The Joint owned Winnemucca Airport is vital to this community. The proposed Airport property is not zoned for heavy Industrial use & is not compatible land use at our Airport. At this time I am asking you not approve the Lithium Variance as you have done before. Thank you for protecting our property rights & keeping our county safe.

Humboldt County Resident;
Victoria King

Lithium Variance Application

https://legistarweb-production.s3.amazonaws.com/uploads/attachment/pdf/3234564/Public_Hearing_-_VA-25-02.pdf

Tami Spero

From: Jim Weiser <whitewaterguy1@yahoo.com>
Sent: Sunday, April 6, 2025 7:23 PM
To: Tami Spero; Don Kalkoske; Michelle Cook
Cc: debbie.gay@protonmail.com; sweetserenity08@yahoo.com; kevinjami@msn.com
Subject: Lithium Americas Height Variance 07APR2025 Meeting

Attention Humboldt County Commissioners,

The Humboldt County residents believe there is a better solution or location for the Lithium Transloading Facility. Please read into the record on Monday April 7th, 2025 Humboldt County Commissioners meeting during the public hearing. The Joint owned Winnemucca Airport is vital to this community. The proposed Airport property is not zoned for heavy Industrial use & is not compatible land use at our airport. At this time, I am asking you not approve the Lithium Variance as you have done before. Thank you for protecting our property rights & keeping our county safe.

Best regards,
Humboldt County Resident,

James Weiser
Geologist
949-701-2322

Tami Spero

From: Tom Hoss <hosstom2020@gmail.com>
Sent: Sunday, April 6, 2025 3:02 PM
To: Tami Spero

Attention Humboldt County Commissioners,

The Humboldt County residents believe there is a better solution or location for the Lithium Transloading Facility. Please read into the record on Monday April 7th, 2025 Humboldt County Commissioners meeting during the public hearing. The Joint owned Winnemucca Airport is vital to this community. The proposed Airport property is not zoned for heavy Industrial use & is not compatible land use at our Airport. At this time I am asking you not approve the Lithium Variance as you have done before. Thank you for protecting our property rights & keeping our county safe.

Humboldt County Resident;

Tami Spero

From: KEVIN JAMI <kevinjami@msn.com>
Sent: Friday, April 4, 2025 12:29 PM
To: Tami Spero
Subject: Lithium Variance

----- Original message -----

From: KEVIN JAMI <kevinjami@msn.com>
Date: 4/4/25 12:22 PM (GMT-08:00)
To: Tami Spero <tami.spero@humboldtcounty.nv.gov>, Michelle Cook <Michelle.Cook@humboldtcountynv.gov>, don.kalkoske@humboldtcountynv.gov
Cc: Christina R <sweetserenity08@yahoo.com>, debbie gay <debbie.gay@sbcglobal.net>, KEVIN JAMI <Kevinjami@msn.com>, Tom Hoss <hosstom2020@gmail.com>, Brad Wigglesworth <bradw1949@gmail.com>, Mike Williams FAA <mike.n.williams@faa.gov>
Subject: Lithium Variance

Lithium Variance

Hello Humboldt County Commissioners,

Humboldt County residents believe there is a more suitable location or solution for the Lithium Transloading Facility. Please read into the record on Monday, April 7, 2025, during the public hearing of the Humboldt County Commissioners meeting. The Joint-owned Winnemucca Airport is crucial to this community. The proposed Airport property is not zoned for heavy industrial use and is not compatible land use at our Airport. Therefore, I request that you again deny the Lithium Variance, as you have done in the past. Your decision will protect our property rights and ensure the safety of our county.

Thank you for your consideration.

Sincerely,
Jami Nicotera

https://legistarweb-production.s3.amazonaws.com/uploads/attachment/pdf/3234564/Public_Hearing_-_VA-25-02.pdf

Tami Spero

From: knicotera822@gmail.com
Sent: Friday, April 4, 2025 10:08 AM
To: Michelle Cook; Tami Spero; Don Kalkoske
Subject: Lithium Variance

Hello Humboldt County Commissioners,

Humboldt County residents believe there is a more suitable location or solution for the Lithium Transloading Facility. Please review the record on Monday, April 7, 2025, during the public hearing of the Humboldt County Commissioners meeting. The Joint-owned Winnemucca Airport is crucial to this community. The proposed Airport property is not zoned for heavy industrial use and is incompatible with the land use at our Airport. Therefore, I request that you refrain from approving the Lithium Variance, as you have done in the past. Your decision will protect our property rights and ensure the safety of our county.

Thank you for your consideration.

Sincerely,
Kevin Nicotera

We, the people of Humboldt County, are outraged by the lithium mining companies and their deceitful tactics. We will not tolerate any non-disclosure agreement (NDA), backroom deal, clandestine arrangement, or underhanded practice designed to conceal their actions, intentions, or outcomes from us being imposed on any participant, official, or observer in these proceedings. Such dishonest maneuvers will not be recognized or upheld. If evidence—presented and confirmed by a majority vote of We, the People, or a duly authorized tribunal—proves these secret dealings or corrupt schemes, every lithium mine project, proposal, or idea tied to that deception should be immediately rejected, declared null and void, and barred from further consideration. This stands as our firm demand for transparency, accountability, and inclusion, ensuring all discussions, decisions, and actions remain open and known to all—no man or woman left unaware of what these companies are doing in our name and to our land.

Furthermore, you all swore an oath to protect We, the People, to be honest and transparent, and to act for the betterment of our community—not for the profits of big corporations. It's clear you're not working for us; you're serving big tech and big government instead. This must stop. Your flagrant dereliction of duty ends now. We, the People, have already spoken about the height of the tower—we haven't changed our minds. It's time for you to do your job: protect our water, land, and air and our airport at any cost. That's your only duty, and we demand you uphold it immediately.

And now, it's come to our attention that our former county manager is working for the lithium company. God knows why they hired him, unless it's for the obvious reason: insider influence. How many of you are still in contact with this man? How much sway does he hold over the commissioners on this board? We've also learned that some of you have contracts with the lithium company. If true, this is, without a doubt, a blatant conflict of interest and a serious ethical violation—~~potentially punishable by jail time~~. We demand answers and accountability now.

It saddens us deeply that our town is so corrupt, benefiting only a few—and that would be most of you. Meanwhile, over 7,000 people will

likely suffer the consequences of your decisions. This needs to stop. Our future depends on the choices you make, and those decisions should not be driven by money but by what's best for our health and well-being. You're gambling with our lives for the sake of a handful of profiteers, and we won't stand for it any longer.

**RECOMMENDED AIRPORT LAND USE COMPATIBILITY
GUIDELINES TABLE**

Land Use Category	Airport Influence Zone (AIZ)	Traffic Pattern Zone (TPZ)	Approach Zone (AZ)	Inner Approach Zone (IAZ)
Residential Single Family, Nursing Homes, Multifamily, Apartments, Condominiums	C (6)	C (3, 4)	C (1, 3)	X
Transient Lodging, Motels, Hotels	C (6)	C (3, 4)	C (1, 3)	X
Public Schools, Libraries, Churches	C (6)	C (4)	C (3, 4)	X
Parking, Cemeteries	P	P	P	C (5)
Commercial & Industrial Offices, Retail Trade, Service Commercial, Wholesale Trade, Warehouse, Light Industrial, General Manufacturing, Utilities, Extractive industry	P	C (6)	C (4)	C (1)
Agricultural & Recreational Cropland	P	P	P	P
Livestock Breeding, Parks, Playgrounds, Zoos, Golf Courses, Riding Stables, Water Recreation	P	P	P	P
Outdoor Spectator Sports	P	C (3)	C (3, 4)	X
Amphitheaters	C (3)	C (3)	C (3, 4)	X
Open Space	P	P	P	P
P — Permitted	C — Conditional Use		X — Not Allowed	

EXHIBIT A

Conditions:

1. If allowed, aviation easements and disclosure must be required as a condition of development. Limit residential density to 1 unit per 1.25 acres.
2. Any structures associated with uses allowed in the 65 Ldn Noise Contour must be located outside the 65 Ldn Noise Contour.
3. If no reasonable alternative exists, use should be located as far from extended centerline as possible.
4. If allowed, disclosure of airport proximity must be required as a condition of development. An aviation easement should be considered based on proximity to runway centerline. Limit residential density to 1 unit per 125 acres.
5. Transportation facilities in the 65 Ldn Noise Contour (i.e. roads, railroads, waterways) must be configured to comply with FAR Part 77 requirements.
6. Disclosure of airport proximity shall be required as a condition of development. Limit residential density to 1 unit per 1.25 acres.

17.58.080 Use of land and buildings.

A. Within the airport hazard combining districts as defined herein, no land shall hereafter be used and no structure or other object shall hereafter be erected, altered, converted, or modified other than for those compatible land uses permitted by underlying zoning districts, as specified in Humboldt County Code. Additional land uses are prohibited in the airport hazard combining districts, regardless of underlying zoning, as set forth in the recommended land use compatibility guideline table.

B. Where any use of prohibited land and buildings set forth in HCC [17.58.070](#) conflicts with any use of land and buildings set forth in Humboldt County Code as an allowed use, this section shall apply.

17.58.090 Additional land use regulations.

A. Within Humboldt County, Nevada, the more restrictive of Humboldt County Code or HCC [17.58.080](#) shall apply to the development of all property covered by the airport hazard combining district map.

B. When a provision of this section conflicts with any airport height hazard restrictions, the most restrictive provision shall apply.

17.58.110 Permits.

A. Future Uses. Except as specifically provided in subsections (A)(1) and (2) of this section, no material change shall be made in the use of land, no structure shall be erected or otherwise established, and no tree shall be

planted in any zone hereby created unless a conditional use permit therefor shall have been applied for and granted per Chapter [17.68](#) HCC. Each application for a conditional use permit shall indicate the purpose for which the permit is desired, with sufficient particularity to permit it to be determined whether the regulating use, structure, or tree would conform to the regulations herein prescribed. An FAA Form 7460-1, Notice of Proposed Construction or Alteration, shall accompany each application. No permit for a use inconsistent with the provisions of this chapter shall be granted unless a variance per Chapter [17.66](#) HCC has been approved and in accordance with subsection (D) of this section.

D. Variances. Any person desiring to erect or increase the height of any structure, or permit the growth of any tree, or use property not in accordance with the regulations prescribed in this chapter may apply to the planning department for a variance from such regulations per Chapter [17.66](#) HCC.

1. The application for variance shall be accompanied by a determination from the Federal Aviation Administration as to the effect of a proposal on the operation of air navigation facilities and the safe, efficient use of navigable airspace.
2. Such variances shall be allowed where it is duly found that a literal application or enforcement of the regulations will result in unnecessary hardship and relief granted, will not be contrary to the public interest, will not create a hazard to air navigation, will do substantial justice, and will be in accordance with the spirit of this chapter.
3. Additionally, no application for variance to the requirements of this chapter and Chapter [17.66](#) HCC may be considered by the county commission unless a copy of the application has been furnished to the airport board for advice as to the aeronautical effects of the variance. If there is no response to the application within fifteen days after receipt, the planning department may act on its own to process said application.

17.58.130 Appeals.

A. Any person aggrieved, or any taxpayer affected by any decision of the county commission regarding a variance decision made in the administration of this chapter, may appeal per Chapter [17.66](#) HCC. Any decision regarding a use permit may be appealed per Chapter [17.68](#) HCC.

1. All appeals hereunder must be taken within a reasonable time by filing a notice of appeal specifying the grounds thereof.

2. An appeal shall stay all proceedings in furtherance of the action appealed from, unless the governing body certifies that by reason of the facts stated in the certificate a stay would in the opinion of the county commission cause imminent peril to life or property. In such case, proceedings shall not be stayed except by the order of the county commission on notice to the planning commission and due cause shown.
3. The governing body may, in conformity with the provisions of this chapter, reverse or affirm, in whole or in part, or modify the order, requirement, decision, or determination appealed from and may make such order, requirement, decision, or determination as may be appropriate under the circumstances per Chapters [17.66](#) and [17.68](#) HCC. (Ord. 11-13-06B § 1)

17.58.160 Conflicting regulations.

Where there exists a conflict between any of the regulations or limitations prescribed in this chapter and any other regulations applicable to the same area, whether the conflict be with respect to the height of structures or trees, the use of land, or any other matter, the more stringent limitation or requirement shall govern and prevail. (Ord. 11-13-06B § 1)

17.66.020 Required findings.

No variance will be granted unless it is found that:

- A. There are exceptional or extraordinary circumstances or conditions applicable to the property such as size, shape or topography which do not apply generally to other property in the vicinity with the same district; and
- B. The granting of a variance will not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity with the same zoning;
- C. The granting of a variance will not be materially detrimental to the public health, safety and general welfare or injurious to property and improvements in the area in which the property is located; and
- D. The variance is necessary for the preservation and enjoyment of a substantial property right of the applicant, which right is possessed by other owners under like conditions in the same district. (Ord. 1-5-87A § 31(A))

EXHIBIT C

Chapter 17.58 A-H AIRPORT HAZARD COMBINING DISTRICT

Sections:

- 17.58.010 Purpose.
- 17.58.020 Definitions.
- 17.58.030 Airport height restriction zones.
- 17.58.040 Airport zone height limitations.
- 17.58.050 Airport hazard combining districts established.
- 17.58.060 Airport hazard combining district map.
- 17.58.070 Airport hazard combining district boundaries.
- 17.58.080 Use of land and buildings.
- 17.58.090 Additional land use regulations.
- 17.58.100 Nonconforming uses.
- 17.58.110 Permits.
- 17.58.120 Enforcement.
- 17.58.130 Appeals.
- 17.58.150 Penalties.
- 17.58.160 Conflicting regulations.
- 17.58.170 Severability.

Prior ordinance history: Ord. 1-5-87A § 27.

17.58.010 Purpose.

The purpose of the A-H airport hazard combining district is to provide guidelines for future development by regulating and restricting the height of structures and objects of natural growth, and otherwise regulating the use of property in the vicinity of the Winnemucca Municipal Airport by creating the appropriate zones and establishing the boundaries thereof; providing for changes in the restrictions and boundaries of such zones; defining certain terms used herein, referring to the Winnemucca Municipal Airport FAR Part 77 Airspace, and off-airport land use drawings, which are incorporated in and made a part of this chapter; for providing for enforcement; and imposing penalties.

A. It is hereby found that an obstruction has the potential for endangering the lives and property of users of the Winnemucca Municipal Airport and property or occupants of land in its vicinity; that an obstruction may affect existing and future instrument approach minimums at the Winnemucca Municipal Airport; and that an obstruction may reduce the size of areas available for the landing, takeoff, and maneuvering of aircraft, thus tending to destroy or impair the utility of the Winnemucca Municipal Airport and the public investment therein. Accordingly, it is declared:

1. That the creation or establishment of an obstruction has the potential of being a public nuisance and may injure the region served by the Winnemucca Municipal Airport;
2. That the encroachment of noise sensitive or otherwise incompatible land uses within certain

areas as set forth hereinbelow may endanger the health, safety, and welfare of the owners, occupants, or users of the land;

3. That it is necessary in the interest of the public health, public safety, and general welfare that the creation or establishment of obstructions that are a hazard to air navigation be prevented;

4. That the prevention of these obstructions should be accomplished, to the extent legally possible, by the exercise of police power without compensation;

5. That the Winnemucca Municipal Airport fulfills an essential community purpose; and

6. It is further declared that the prevention of and the creation or establishment of hazards to air navigation, the elimination, removal, alteration or mitigation of hazards to air navigation, or the marking and lighting of construction are public purposes for which a political subdivision may raise and expend public funds and acquire land or interests in land. (Ord. 11-13-06B § 1)

17.58.020 Definitions.

As used in this chapter, unless the context otherwise requires:

"Airport" means Winnemucca Municipal Airport.

"Airport elevation" means the highest point of an airport's usable landing area measured in feet from mean sea level. This elevation is four thousand three hundred and seven feet MSL (NAVD 88) as of the date of this chapter.

"Approach surface" means a surface longitudinally centered on the extended runway centerline, extending outward and upward from the end of the primary surface and at the same slope as the approach zone height limitation slope set forth in HCC [17.58.040](#). In plan the perimeter of the approach surface coincides with the perimeter of the approach zone.

Approach, Transitional, Horizontal and Conical Zones. These zones are set forth in HCC [17.58.030](#).

"Conical surface" means a surface extending outward and upward from the periphery of the horizontal surface at a slope of twenty to one for a horizontal distance of four thousand feet.

"Hazard to air navigation" means an obstruction determined to have a substantial adverse effect on the safe and efficient utilization of the navigable airspace.

Height. For the purpose of determining the height limits in all zones set forth in this chapter and shown on the zoning map, the datum shall mean sea level elevation unless otherwise specified.

"Heliport primary surface" means the primary surface coincides in size and shape with the designated takeoff and landing area of a heliport. This surface is a horizontal plane at the elevation of the established heliport elevation.

"Horizontal surface" means a horizontal plane one hundred and fifty feet above the established airport elevation, the perimeter of which in plan coincides with the perimeter of the horizontal zone.

"Larger than utility runway" means a runway that is constructed for and intended to be used by propeller driven aircraft of greater than twelve thousand five hundred pounds maximum gross weight

and jet powered aircraft.

"NAVD 88" means the North American Vertical Datum 1988. All elevations in this chapter are referenced to the 1988 North American Vertical Datum. To convert elevations referenced from the 1929 National Geodetic Vertical Datum (NGVD 29) to the NAVD 88 datum, subtract 3.3 feet from the NGVD 29 elevation.

"Nonconforming use" means any preexisting structure, object of natural growth, or use of and which is inconsistent with the provisions of this chapter or an amendment thereof.

"Nonprecision instrument runway" means a runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight-in nonprecision instrument approach procedure has been approved or planned. It also means a runway for which a nonprecision approach system is planned and is so indicated on an approved airport layout plan or any other planning document.

"Obstruction" means any structure, growth, or other object, including a mobile object, which exceeds a limiting height set forth in HCC [17.58.040](#).

"Person" means an individual, firm, partnership, corporation, company, association, joint stock association, or governmental entity; includes a trustee, a receiver, an assignee, or a similar representative of any of them.

"Precision instrument runway" means a runway having an existing instrument approach procedure utilizing an instrument landing system (ILS), a precision approach radar (PAR) or a global positioning system (GPS). It also means a runway for which a precision approach system is planned and is so indicated on an approved airport layout plan or any other planning document.

"Primary surface" means a surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends two hundred feet beyond each end of that runway; for military runways or when the runway has no specially prepared hard surface, or planned hard surface, the primary surface ends at each end of that runway. The width of the primary surface is set forth in HCC [17.58.030](#). The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.

"Runway" means a defined area in an airport prepared for landing and takeoff of aircraft along its length.

"Structure" means an object, including mobile object, constructed or installed by man, including but without limitation buildings, towers, cranes, smokestacks, earth formation, and overhead transmission lines.

Transitional Surfaces. These surfaces extend outward at ninety degree angles to the runway centerline and the runway centerline extended at a slope of seven feet horizontally for each foot vertically from the sides of the primary and approach surfaces to where they intersect the horizontal and conical surfaces. Transitional surfaces for those portions of the precision approach surfaces, which project through and beyond the limits of the conical surface, extend a distance of five thousand feet measured horizontally from the edge of the approach surface and at ninety degree angles to the extended runway centerline.

"Tree" means any object of natural growth.

"Utility runway" means a runway that is constructed for and intended to be used by propeller driven aircraft of twelve thousand five hundred pounds maximum gross weight and less.

"Visual runway" means a runway intended solely for the operation of aircraft using visual approach procedures. (Ord. 11-13-06B § 1)

17.58.030 Airport height restriction zones.

A. In order to carry out the provisions of this chapter, there are hereby created and established certain zones which include all of the land lying beneath the approach surfaces, transitional surfaces, horizontal surfaces, and conical surfaces as they apply to the Winnemucca Municipal Airport. Such zones are shown on the Winnemucca Municipal Airport FAR Part 77 airspace drawing.

1. Three original, official, and identical copies of the FAR Part 77 airspace drawing reflecting the boundaries of the airport hazard combining district map districts of Humboldt County, Nevada, are hereby adopted, and the chairman is hereby authorized to sign and attest each map as the official Winnemucca Municipal Airport hazard combining district map of Humboldt County, Nevada, and such maps shall be filed and maintained as follows:

- a. One copy shall be filed for permanent record in the office of the Humboldt County administrator and shall be designated as "Exhibit 1." This copy shall not be changed in any manner.
- b. One copy shall be filed in the planning department office and shall be designated as "Exhibit 2." This copy shall be maintained by the planning department by posting thereon all subsequent changes and amendments.
- c. One copy shall be filed in the office of the city manager/engineer and shall be designated as "Exhibit 3." This copy shall be maintained by the planning department by posting thereon all subsequent changes and amendments.

B. An area located in more than one of the following zones shall be regulated in accordance with the zone in which each portion of the area is located. The various zones are hereby established and defined as follows:

1. Precision Instrument Runway Approach Zone. The inner edge of this approach zone coincides with the width of the primary surface and is one thousand feet wide. The approach zone expands outward uniformly to a width of sixteen thousand feet at a horizontal distance of fifty thousand feet from the primary surface. Its centerline is the continuation of the centerline of the runway. This is the planned condition for Runway 14/32.
2. Nonprecision Instrument Runway Approach Zone (Larger Than Utility Aircraft). The inner edge of this approach zone is five hundred feet wide. The approach zone expands outward uniformly to a width of three thousand five hundred feet at a horizontal distance of ten thousand feet from the primary surface. Its centerline is the continuation of the centerline of the runway. This is the existing condition for Runway 14/32.
3. Visual Runway Approach Zone (Larger Than Utility Aircraft). The inner edge of this approach

zone is five hundred feet wide. The approach surface expands uniformly to a width of one thousand five hundred feet at a horizontal distance of five thousand feet from the primary surface. The centerline of the approach zone is a continuation of the centerline of the runway. This is the existing and planned condition for Runway 02/20.

4. Transitional Zones. The transitional zones are the areas beneath the transitional surfaces.

5. Horizontal Zones. The horizontal zone is established by swinging arcs of ten thousand feet radius from the center of each end of the primary surface of Runway 14/32 and by swinging arcs of five thousand feet radius from the center of each end of the primary surface of Runway 02/20 and connecting the adjacent arcs by drawing lines tangent to those arcs. The horizontal zone does not include the approach and transitional zones.

6. Conical Zone. The conical zone is established as the area that commences at the periphery of the horizontal zone and extends outward therefrom a horizontal distance of four thousand feet.
(Ord. 11-13-06B § 1)

17.58.040 Airport zone height limitations.

A. Except as otherwise provided in this chapter, no structure shall be erected, altered, or maintained, and no tree shall be allowed to grow in any zone created by this chapter to a height in excess of the applicable height limit herein established for such zone. Such applicable height limitations are hereby established for each of the zones in question as follows:

1. Precision Instrument Runway Approach Zone. Slopes fifty feet outward for each foot beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of ten thousand feet along the extended runway centerline, then slopes forty feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of forty thousand feet along the extended runway centerline. (This is the planned condition for the approach to Runway 32 which is reflected in the airport layout plan, and for which object heights are restricted in accordance with this chapter.)

2. Nonprecision Instrument Runway Approach Zone (Larger Than Utility Aircraft). Slopes thirty-four feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of ten thousand feet along the extended runway centerline. (This is the existing condition for the approach to Runway 14 which is reflected in the airport layout plan, and for which object heights are restricted in accordance with this chapter.)

3. Visual Runway Approach Zone (Larger Than Utility Aircraft). Slopes twenty feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of five thousand feet along the extended runway centerline. This is the existing and planned condition for Runways 2 and 20.

4. Transitional Zone. Slopes seven feet outward for each foot upward beginning at the sides of and at the same elevation as the primary surface and the approach surface, and extending to a height of one hundred fifty feet above the airport elevation. In addition to the foregoing, there are established height limits sloping seven feet outward for each foot upward beginning at the sides of and at the same elevation as the approach surface, and extending to where they intersect the

conical surface. Where the precision instrument runway approach zone projects beyond the conical zone, there are established height limits sloping seven feet outward for each foot upward beginning at the sides of and at the same elevation as the approach surface, and extending a horizontal distance of five thousand feet measured at ninety degree angles to the extended runway centerline.

5. Horizontal Zone. Established at one hundred fifty feet above the airport elevation or at a height of four thousand four hundred and fifty seven feet above mean sea level (MSL).

6. Conical Zone. Slopes twenty feet outward for each foot upward beginning at the periphery of the horizontal zone and at one hundred fifty feet above the airport elevation (four thousand four hundred and fifty-seven feet MSL) and extending to a height of three hundred fifty feet (four thousand six hundred and fifty-seven feet MSL) above the airport elevation. (Ord. 11-13-06B § 1)

17.58.050 Airport hazard combining districts established.

A. For the purpose of regulating the development of noise sensitive land uses to promote compatibility between the airport and the surrounding land uses, to protect the airport from incompatible development and to promote the health, safety, and general welfare of property users, the controlled area of Winnemucca Municipal Airport is divided into airport hazard combining districts.

B. The airport hazard combining districts established herein shall be known as:

Abbreviated Designation	Hazard Combining District Name
AIZ	Airport Influence Zone
TPZ	Traffic Pattern Zone
AZ	Approach Zone
IAZ	Inner Approach Zone

RECOMMENDED AIRPORT LAND USE COMPATIBILITY GUIDELINES TABLE

Land Use Category	Airport Influence Zone (AIZ)	Traffic Pattern Zone (TPZ)	Approach Zone (AZ)	Inner Approach Zone (IAZ)
Residential Single Family, Nursing Homes, Multifamily, Apartments, Condominiums	C (6)	C (3, 4)	C (1, 3)	X
Transient Lodging, Motels, Hotels	C (6)	C (3, 4)	C (1, 3)	X
Public Schools, Libraries, Churches	C (6)	C (4)	C (3, 4)	X
Parking, Cemeteries	P	P	P	C (5)

Commercial & Industrial Offices, Retail Trade, Service Commercial, Wholesale Trade, Warehouse, Light Industrial, General Manufacturing, Utilities, Extractive industry	P	C (6)	C (4)	C (1)
Agricultural & Recreational Cropland	P	P	P	P
Livestock Breeding, Parks, Playgrounds, Zoos, Golf Courses, Riding Stables, Water Recreation	P	P	P	P
Outdoor Spectator Sports	P	C (3)	C (3, 4)	X
Amphitheaters	C (3)	C (3)	C (3, 4)	X
Open Space	P	P	P	P
P — Permitted C — Conditional Use X — Not Allowed				

Conditions:

1. If allowed, avigation easements and disclosure must be required as a condition of development. Limit residential density to 1 unit per 1.25 acres.
2. Any structures associated with uses allowed in the 65 Ldn Noise Contour must be located outside the 65 Ldn Noise Contour.
3. If no reasonable alternative exists, use should be located as far from extended centerline as possible.
4. If allowed, disclosure of airport proximity must be required as a condition of development. An avigation easement should be considered based on proximity to runway centerline. Limit residential density to 1 unit per 125 acres.
5. Transportation facilities in the 65 Ldn Noise Contour (i.e. roads, railroads, waterways) must be configured to comply with FAR Part 77 requirements.
6. Disclosure of airport proximity shall be required as a condition of development. Limit residential density to 1 unit per 1.25 acres.

Notes:

Development projects which are wildlife attractants, including sewage treatment ponds and new landfills, within 10,000 feet of the runway are unacceptable (FAA Advisory Circular 150/5200-33). New landfills within 6 miles of the airport may require special review (FAA AC 150/5200-34).

An FAA Form 7460-1, "Notice of Proposed Construction or Alteration" must be submitted for any construction or alteration (including hangars and other on-airport and off-airport structures, towers, etc.) within 20,000 horizontal feet of the airport greater in height than an imaginary surface extending outward and upward from the runway at a slope of 100 to 1 or greater in height than 200 feet above ground.

(Ord. 11-13-06B § 1)

17.58.060 Airport hazard combining district map.

The boundaries of the airport hazard combining districts set out herein are delineated upon the Winnemucca Municipal Airport off-airport land use drawing, said drawing being adopted by reference and made a part of this chapter as fully as if the same were set forth herein in detail.

A. Three original, official, and identical copies of the Winnemucca Municipal Airport off-airport land use drawing reflecting the boundaries of the airport hazard combining districts of Humboldt County, Nevada, are hereby adopted, and the chairman is hereby authorized to sign and attest each map as the official airport hazard combining district map of Humboldt County, Nevada, and such maps shall be filed and maintained as follows:

1. One copy shall be filed for permanent record in the office of the county administrator and shall be designated as "Exhibit 1." This copy shall not be changed in any manner.
2. One copy shall be filed in the planning department office and shall be designated as "Exhibit 2." This copy shall be maintained by the planning department by posting thereon all subsequent changes and amendments.
3. One copy shall be filed in the office of the city manager/engineer and shall be designated as "Exhibit 3." This copy shall be maintained by the planning department by posting thereon all subsequent changes and amendments. (Ord. 11-13-06B § 1)

17.58.070 Airport hazard combining district boundaries.

A. The airport hazard combining district boundary lines shown on the official airport hazard combining district map shall be located and delineated along contour lines established for Winnemucca Municipal Airport. Where uncertainty exists as to the boundaries of the airport hazard combining districts as shown on the official map, the following rules shall apply:

1. Boundaries shall be scaled from the nearest physical feature shown on the map.
2. Boundaries may be scaled from the nearest platted lot line as shown on the map.
3. Distances not specifically indicated on the original airport hazard combining district map shall be determined by a scaled measurement on the map.
4. Where physical features on the ground differ from the information shown on the official airport hazard combining district map or when there arises a question as to how or where a parcel of property is zoned and such questions cannot be resolved by the application of this section, the property shall be considered to be classified as the most restrictive airport hazard combining district.
5. Where a parcel of land lies within more than one airport hazard combining district, the zone within which each portion of the property is located shall apply individually to each portion of the development or property. (Ord. 11-13-06B § 1)

17.58.080 Use of land and buildings.

A. Within the airport hazard combining districts as defined herein, no land shall hereafter be used and no structure or other object shall hereafter be erected, altered, converted, or modified other than for those compatible land uses permitted by underlying zoning districts, as specified in Humboldt County Code. Additional land uses are prohibited in the airport hazard combining districts, regardless of

underlying zoning, as set forth in the recommended land use compatibility guideline table.

B. Where any use of prohibited land and buildings set forth in HCC [17.58.070](#) conflicts with any use of land and buildings set forth in Humboldt County Code as an allowed use, this section shall apply.

C. HCC [17.58.070](#) does not apply to property within the official boundaries of the airport.

D. Where specified on the recommended airport land use compatibility guidelines table, the property owner shall dedicate, in advance of receiving a building permit, an aviation easement to Humboldt County, Nevada. The purpose of this easement shall be to establish a maximum height restriction on the use of property and to hold the public harmless for any damages caused by noise, vibration, fumes, dust, fuel, fuel particles, or other effects that may be caused by the operation of aircraft landing at, taking off from, or operating on, or at, public airport facilities. (Ord. 11-13-06B § 1)

17.58.090 Additional land use regulations.

A. Within Humboldt County, Nevada, the more restrictive of Humboldt County Code or HCC [17.58.080](#) shall apply to the development of all property covered by the airport hazard combining district map.

B. When a provision of this section conflicts with any airport height hazard restrictions, the most restrictive provision shall apply.

C. Notwithstanding any other provisions of this chapter or any other chapter of the Humboldt County Code, no use may be made of land, water, or structures within any zone established by this chapter in such a manner as to create electrical interference with navigational signals or radio communication between the airport and aircraft, make it difficult for pilots to distinguish between airport lights and others, or result in glare in the eyes of pilots using the airport; impair visibility in the vicinity of the airport; create bird strike hazards; or otherwise in any way endanger or interfere with the landing, taking off, or flight operations of aircraft utilizing the airport.

D. When a subdivision plat or parcel map is required for any property within an airport hazard combining district or within an area shown on the airport hazard combining district map for the Winnemucca Municipal Airport, the property owner shall dedicate an aviation easement to Humboldt County over and across that property. This easement shall establish a height restriction on the use of the property and hold the public harmless from any damages caused by noise, vibration, fumes, dust, fuel, fuel particles, or other effects that may be caused by the operation of aircraft taking off, landing, or operating on or near Winnemucca Municipal Airport. (Ord. 11-13-06B § 1)

17.58.100 Nonconforming uses.

A. Regulations Not Retroactive. The regulations prescribed by this chapter shall not be construed to require the removal, lowering, or other change or alteration of any structure or tree not conforming to the regulations as of the effective date of this chapter, or otherwise interfere with the continuance of nonconforming use. Nothing contained herein shall require any change in the construction, alteration, or intended use of any structure, the construction or alteration of which was begun prior to the effective date of this chapter, and is diligently prosecuted.

B. Marking and Lighting. Notwithstanding the preceding provision of this section, the owner of any existing nonconforming structure or tree is hereby required to permit the installation, operation, and maintenance thereon of such markers and lights as shall be deemed necessary by Humboldt County or

the airport board to indicate to the operators of aircraft in the vicinity of the airport the presence of such airport obstruction. Such markers and lights shall be installed, operated, and maintained at the expense of the Winnemucca Municipal Airport. (Ord. 11-13-06B § 1)

17.58.110 Permits.

A. Future Uses. Except as specifically provided in subsections (A)(1) and (2) of this section, no material change shall be made in the use of land, no structure shall be erected or otherwise established, and no tree shall be planted in any zone hereby created unless a conditional use permit therefor shall have been applied for and granted per Chapter [17.68](#) HCC. Each application for a conditional use permit shall indicate the purpose for which the permit is desired, with sufficient particularity to permit it to be determined whether the regulating use, structure, or tree would conform to the regulations herein prescribed. An FAA Form 7460-1, Notice of Proposed Construction or Alteration, shall accompany each application. No permit for a use inconsistent with the provisions of this chapter shall be granted unless a variance per Chapter [17.66](#) HCC has been approved and in accordance with subsection (D) of this section.

1. In the area lying within the limits of the approach zones, transition zones, horizontal zone and conical zone, no permit shall be required by this chapter for any tree or structure less than two hundred feet above ground level which is also lower than an imaginary surface extending outward and upward at a slope of one hundred feet horizontal for each one foot vertical beginning at the closest point of the closest runway.

2. Nothing contained in any of the foregoing exceptions shall be construed as permitting or intending to permit any construction, or alteration of any structure, or growth of any tree in excess of any of the height limits established by this chapter.

B. Existing Uses. No permit shall be granted that would allow the establishment or creation of any obstruction or permit a nonconforming use, structure, or tree to become a greater hazard to air navigation than it was on the effective date of this chapter or any amendments thereto or than it was when the application for a permit was made. Except as indicated, all applications for such a permit shall be granted.

C. Nonconforming Uses Abandoned or Destroyed. Whenever Humboldt County determines that a nonconforming tree or structure has been abandoned or more than eighty percent torn down, physically deteriorated, or decayed, no permit shall be granted that would allow such structure or tree to exceed the applicable height limit or otherwise deviate from the zoning regulations.

D. Variances. Any person desiring to erect or increase the height of any structure, or permit the growth of any tree, or use property not in accordance with the regulations prescribed in this chapter may apply to the planning department for a variance from such regulations per Chapter [17.66](#) HCC.

1. The application for variance shall be accompanied by a determination from the Federal Aviation Administration as to the effect of a proposal on the operation of air navigation facilities and the safe, efficient use of navigable airspace.

2. Such variances shall be allowed where it is duly found that a literal application or enforcement of the regulations will result in unnecessary hardship and relief granted, will not be contrary to the public interest, will not create a hazard to air navigation, will do substantial justice, and will be in

accordance with the spirit of this chapter.

3. Additionally, no application for variance to the requirements of this chapter and Chapter [17.66](#) HCC may be considered by the county commission unless a copy of the application has been furnished to the airport board for advice as to the aeronautical effects of the variance. If there is no response to the application within fifteen days after receipt, the planning department may act on its own to process said application.

E. Obstruction Marking and Lighting. Any permit or variance granted may, if such action is deemed advisable to effectuate the purpose of this chapter and be reasonable in the circumstances, be so conditioned as to require the owner of the structure or tree in question to install, operate, and maintain, at the owner's expense, such markings and lights as condition may require in accordance with FAA provisions. (Ord. 11-13-06B § 1)

17.58.120 Enforcement.

A. It shall be the duty of Humboldt County to administer and enforce the regulations prescribed herein per Chapter [17.80](#) HCC.

1. Applications for permits per Chapter [17.68](#) HCC and variances per Chapter [17.66](#) HCC shall be made to Humboldt County upon a form published for that purpose and available at the planning department or on the website.

2. Applications required by this chapter and Chapters [17.66](#) and [17.68](#) HCC are to be submitted to the planning department.

3. Application for action by the county commissioners shall be forthwith transmitted by the planning department. (Ord. 11-13-06B § 1)

17.58.130 Appeals.

A. Any person aggrieved, or any taxpayer affected by any decision of the county commission regarding a variance decision made in the administration of this chapter, may appeal per Chapter [17.66](#) HCC. Any decision regarding a use permit may be appealed per Chapter [17.68](#) HCC.

1. All appeals hereunder must be taken within a reasonable time by filing a notice of appeal specifying the grounds thereof.

2. An appeal shall stay all proceedings in furtherance of the action appealed from, unless the governing body certifies that by reason of the facts stated in the certificate a stay would in the opinion of the county commission cause imminent peril to life or property. In such case, proceedings shall not be stayed except by the order of the county commission on notice to the planning commission and due cause shown.

3. The governing body may, in conformity with the provisions of this chapter, reverse or affirm, in whole or in part, or modify the order, requirement, decision, or determination appealed from and may make such order, requirement, decision, or determination as may be appropriate under the circumstances per Chapters [17.66](#) and [17.68](#) HCC. (Ord. 11-13-06B § 1)

17.58.150 Penalties.

Any violation of this chapter or of any regulation, order, or ruling promulgated hereunder shall be per

17.58.160 Conflicting regulations.

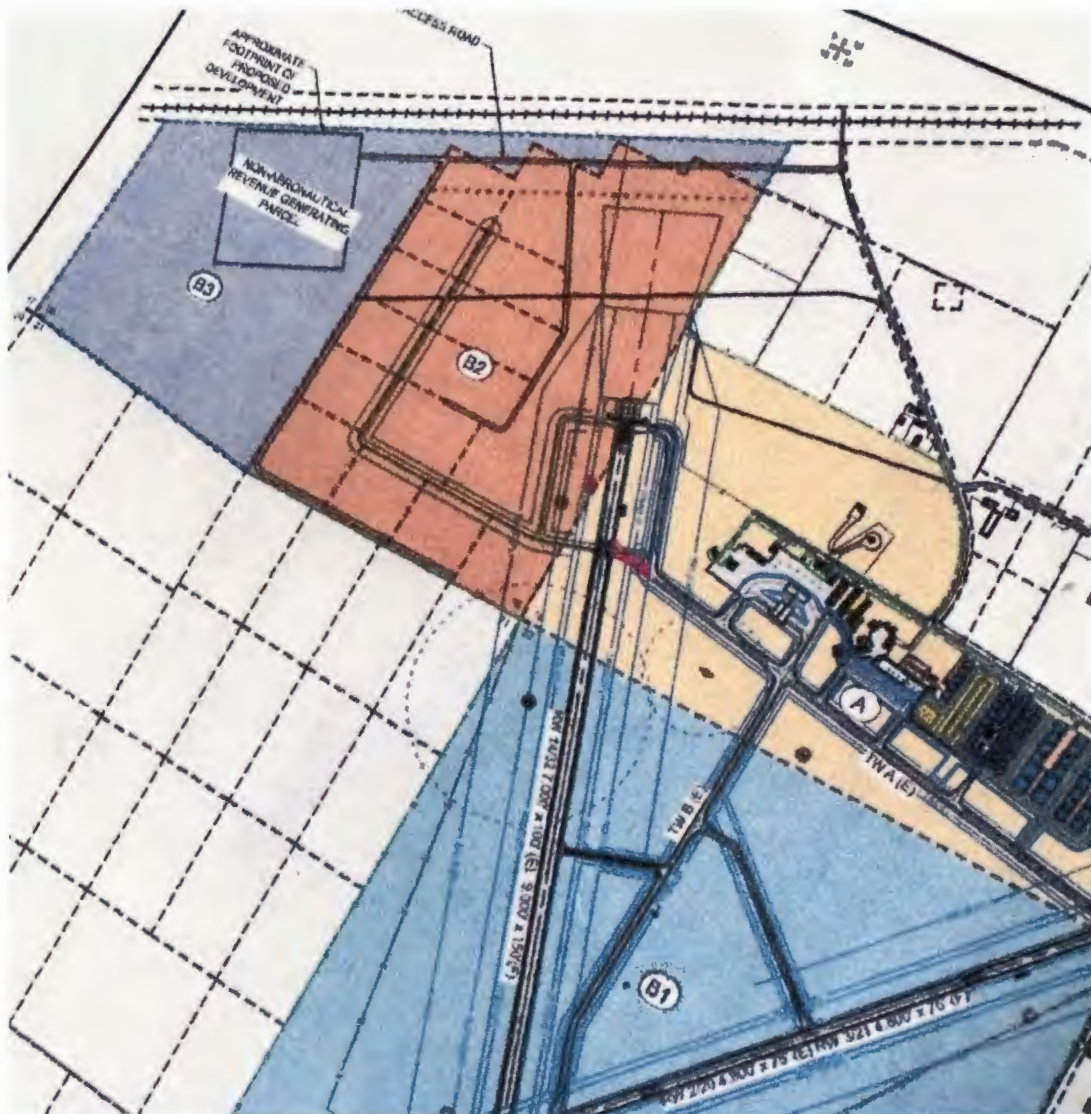
Where there exists a conflict between any of the regulations or limitations prescribed in this chapter and any other regulations applicable to the same area, whether the conflict be with respect to the height of structures or trees, the use of land, or any other matter, the more stringent limitation or requirement shall govern and prevail. (Ord. 11-13-06B § 1)

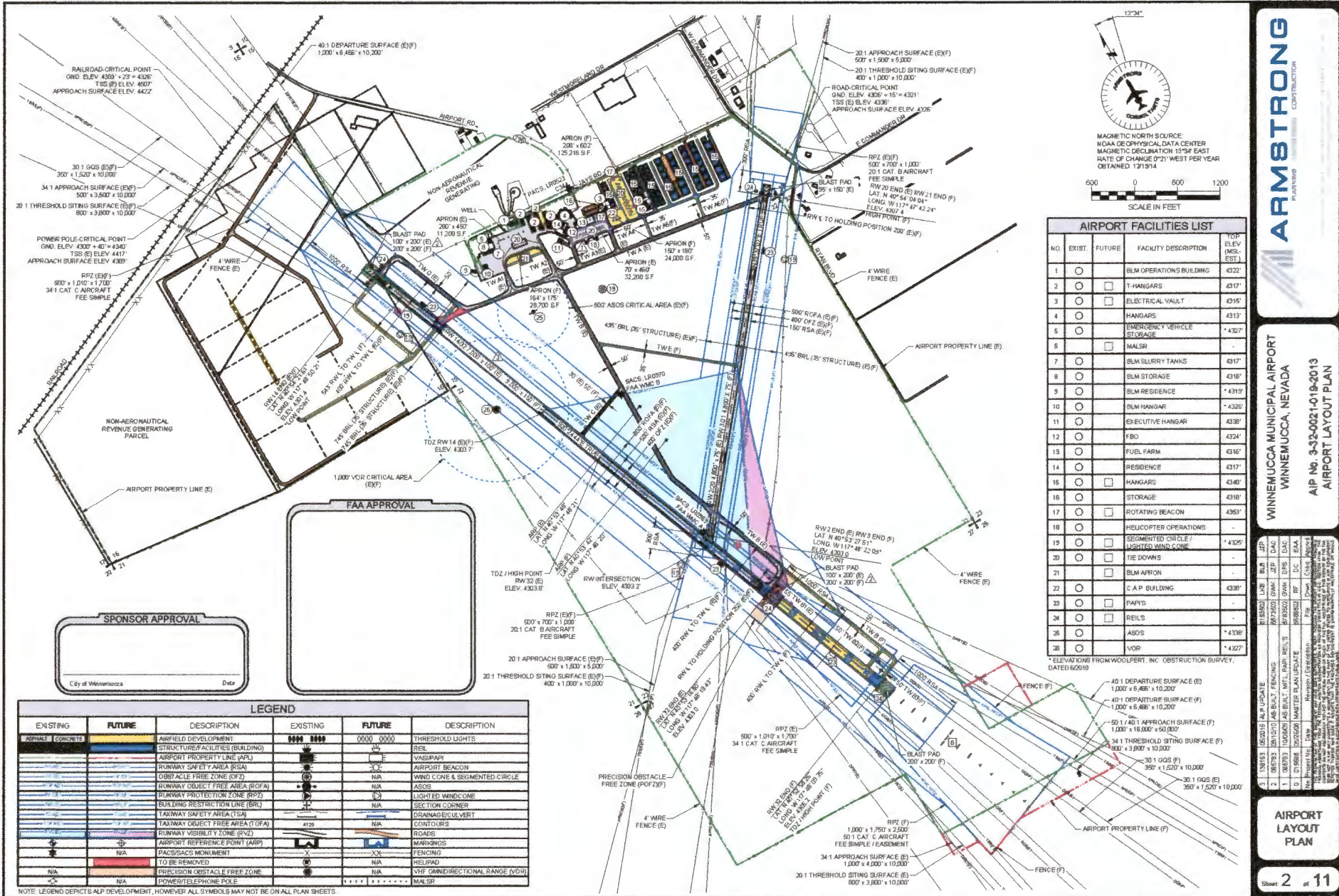
17.58.170 Severability.

If any of the provisions of this chapter or the application thereof to any person or circumstances are held invalid, such invalidity shall not affect other provisions or applications of the chapter which can be given effect without the invalid provision or application, and to this end, the provisions of this chapter are declared to be severable. (Ord. 11-13-06B § 1)

EXHIBIT D

TRANSLOAD TERMINAL LAYOUT





MAGNETIC NORTH SOURCE
 NOAA GEOPHYSICAL DATA CENTER
 MAGNETIC DECLINATION 11°34' EAST
 RATE OF CHANGE 0°21' WEST PER YEAR
 OBTAINED 12/19/14

AIRPORT FACILITIES LIST				
NO.	EXIST.	FUTURE	FACILITY DESCRIPTION	100' ELEV. (MSL - EST.)
1			BLM OPERATIONS BUILDING	4322'
2			T-HANGARS	4317'
3			ELECTRICAL VAULT	4315'
4			HANGARS	4313'
5			EMERGENCY VEHICLE STORAGE	* 4307'
6			MAILSR	-
7			BLM SLURRY TANKS	4317'
8			BLM STORAGE	4318'
9			BLM RESIDENCE	* 4319'
10			BLM HANGAR	* 4326'
11			EXECUTIVE HANGAR	4338'
12			FBO	4324'
13			FUEL FARM	4316'
14			RESIDENCE	4317'
15			HANGARS	4340'
16			STORAGE	4310'
17			ROTATING BEACON	4363'
18			HELICOPTER OPERATIONS	-
19			SEGMENTED CIRCLE / LIGHTED WIND CONE	* 4325'
20			TIE DOWNS	-
21			BLM APRON	-
22			C A P BUILDING	4330'
23			PAPYS	-
24			RELS	-
25			ASOS	* 4338'
26			VOR	* 4327'

* ELEVATIONS FROM WOOLFERT, INC. OBSTRUCTION SURVEY, DATED 6/20/10

ARMSTRONG
 PLANNING
 CONSTRUCTION

WINNEMUCCA MUNICIPAL AIRPORT
 WINNEMUCCA, NEVADA
 AIP No. 3-3-2-002-1019-2013
 AIRPORT LAYOUT PLAN

NO.	REVISION	DATE	BY	APP.	DESCRIPTION
1	ISSUED FOR PERMITS	10/19/14	JCP	DAC	ISSUED FOR PERMITS
2	DESIGN DEVELOPMENT	10/19/14	JCP	DAC	DESIGN DEVELOPMENT
3	DESIGN DEVELOPMENT	10/19/14	JCP	DAC	DESIGN DEVELOPMENT
4	DESIGN DEVELOPMENT	10/19/14	JCP	DAC	DESIGN DEVELOPMENT
5	DESIGN DEVELOPMENT	10/19/14	JCP	DAC	DESIGN DEVELOPMENT
6	DESIGN DEVELOPMENT	10/19/14	JCP	DAC	DESIGN DEVELOPMENT
7	DESIGN DEVELOPMENT	10/19/14	JCP	DAC	DESIGN DEVELOPMENT
8	DESIGN DEVELOPMENT	10/19/14	JCP	DAC	DESIGN DEVELOPMENT
9	DESIGN DEVELOPMENT	10/19/14	JCP	DAC	DESIGN DEVELOPMENT
10	DESIGN DEVELOPMENT	10/19/14	JCP	DAC	DESIGN DEVELOPMENT
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16	DESIGN DEVELOPMENT	10/19/14	JCP	DAC	DESIGN DEVELOPMENT
17	DESIGN DEVELOPMENT	10/19/14	JCP	DAC	DESIGN DEVELOPMENT
18	DESIGN DEVELOPMENT	10/19/14	JCP	DAC	DESIGN DEVELOPMENT
19	DESIGN DEVELOPMENT	10/19/14	JCP	DAC	DESIGN DEVELOPMENT
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25	DESIGN DEVELOPMENT	10/19/14	JCP	DAC	DESIGN DEVELOPMENT
26	DESIGN DEVELOPMENT	10/19/14	JCP	DAC	DESIGN DEVELOPMENT
27	DESIGN DEVELOPMENT	10/19/14	JCP	DAC	DESIGN DEVELOPMENT
28	DESIGN DEVELOPMENT	10/19/14	JCP	DAC	DESIGN DEVELOPMENT
29	DESIGN DEVELOPMENT	10/19/14	JCP	DAC	DESIGN DEVELOPMENT
30	DESIGN DEVELOPMENT	10/19/14	JCP	DAC	DESIGN DEVELOPMENT
31	DESIGN DEVELOPMENT	10/19/14	JCP	DAC	DESIGN DEVELOPMENT
32	DESIGN DEVELOPMENT	10/19/14	JCP	DAC	DESIGN DEVELOPMENT
33	DESIGN DEVELOPMENT	10/19/14	JCP	DAC	DESIGN DEVELOPMENT
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35	DESIGN DEVELOPMENT	10/19/14	JCP	DAC	DESIGN DEVELOPMENT
36	DESIGN DEVELOPMENT	10/19/14	JCP	DAC	DESIGN DEVELOPMENT
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40	DESIGN DEVELOPMENT	10/19/14	JCP	DAC	DESIGN DEVELOPMENT
41	DESIGN DEVELOPMENT	10/19/14	JCP	DAC	DESIGN DEVELOPMENT
42	DESIGN DEVELOPMENT	10/19/14	JCP	DAC	DESIGN DEVELOPMENT
43	DESIGN DEVELOPMENT	10/19/14	JCP	DAC	DESIGN DEVELOPMENT
44	DESIGN DEVELOPMENT	10/19/14	JCP	DAC	DESIGN DEVELOPMENT
45	DESIGN DEVELOPMENT	10/19/14	JCP	DAC	DESIGN DEVELOPMENT
46	DESIGN DEVELOPMENT	10/19/14	JCP	DAC	DESIGN DEVELOPMENT
47	DESIGN DEVELOPMENT	10/19/14	JCP	DAC	DESIGN DEVELOPMENT
48	DESIGN DEVELOPMENT	10/19/14	JCP	DAC	DESIGN DEVELOPMENT
49	DESIGN DEVELOPMENT	10/19/14	JCP	DAC	DESIGN DEVELOPMENT
50	DESIGN DEVELOPMENT	10/19/14	JCP	DAC	DESIGN DEVELOPMENT

LEGEND					
EXISTING	FUTURE	DESCRIPTION	EXISTING	FUTURE	DESCRIPTION
ASPHALT CONCRETE		AIRFIELD DEVELOPMENT	0000 0000	0000 0000	THRESHOLD LIGHTS
		STRUCTURE/FACILITIES BUILDING			REL
		AIRPORT PROPERTY LINE (APL)			VAS/RAPI
		RUNWAY SAFETY AREA (RSA)			AIRPORT BEACON
		OBSTACLE FREE ZONE (OFZ)			WIND CONE & SEGMENTED CIRCLE
		RUNWAY OBJECT FREE AREA (ROFA)			ASOS
		RUNWAY PROTECTION ZONE (RPZ)			LIGHTED MANDICONE
		BUILDING RESTRICTION LINE (BRL)			SECTION CORNER
		TAXIWAY SAFETY AREA (TSA)			DRAINAGE EGRESS
		TAXIWAY OBJECT FREE AREA (TOFA)			CONTOURS
		RUNWAY VISIBILITY ZONE (RVZ)			ROADS
		AIRPORT REFERENCE POINT (ARP)			MARKINGS
		PAC/SACS MONUMENT			FENCING
		TO BE REMOVED			HELIPAD
		PRECISION OBSTACLE FREE ZONE			VHF OMNIDIRECTIONAL RANGE (VOR)
		COMMERCIAL PHONE POLE			MAILSR

NOTE: LEGEND DEPICTS MAP DEVELOPMENT, HOWEVER ALL SYMBOLS MAY NOT BE ON ALL PLAN SHEETS

AIRPORT LAYOUT PLAN
 Sheet 2 of 11

POWER POLE-CRITICAL POINT
GND. ELEV. 4300' + 40' = 4340'
TSS (E) ELEV. 4417'
APPROACH SURFACE ELEV. 4369'

RPZ (E)(F)
500' x 1,010' x 1,700'
34:1 CAT: C AIRCRAFT
FEE SIMPLE

NON-AERONAUTICAL
REVENUE GENERATING
PARCEL

AIRPORT PROPERTY LINE (E)

4' WIRE
FENCE (E)

RW 14 END (E)(F)
LAT. N 40° 54' 21.61"
LONG. W 117° 48' 50.21"
ELEV. 4301.4
LOW POINT

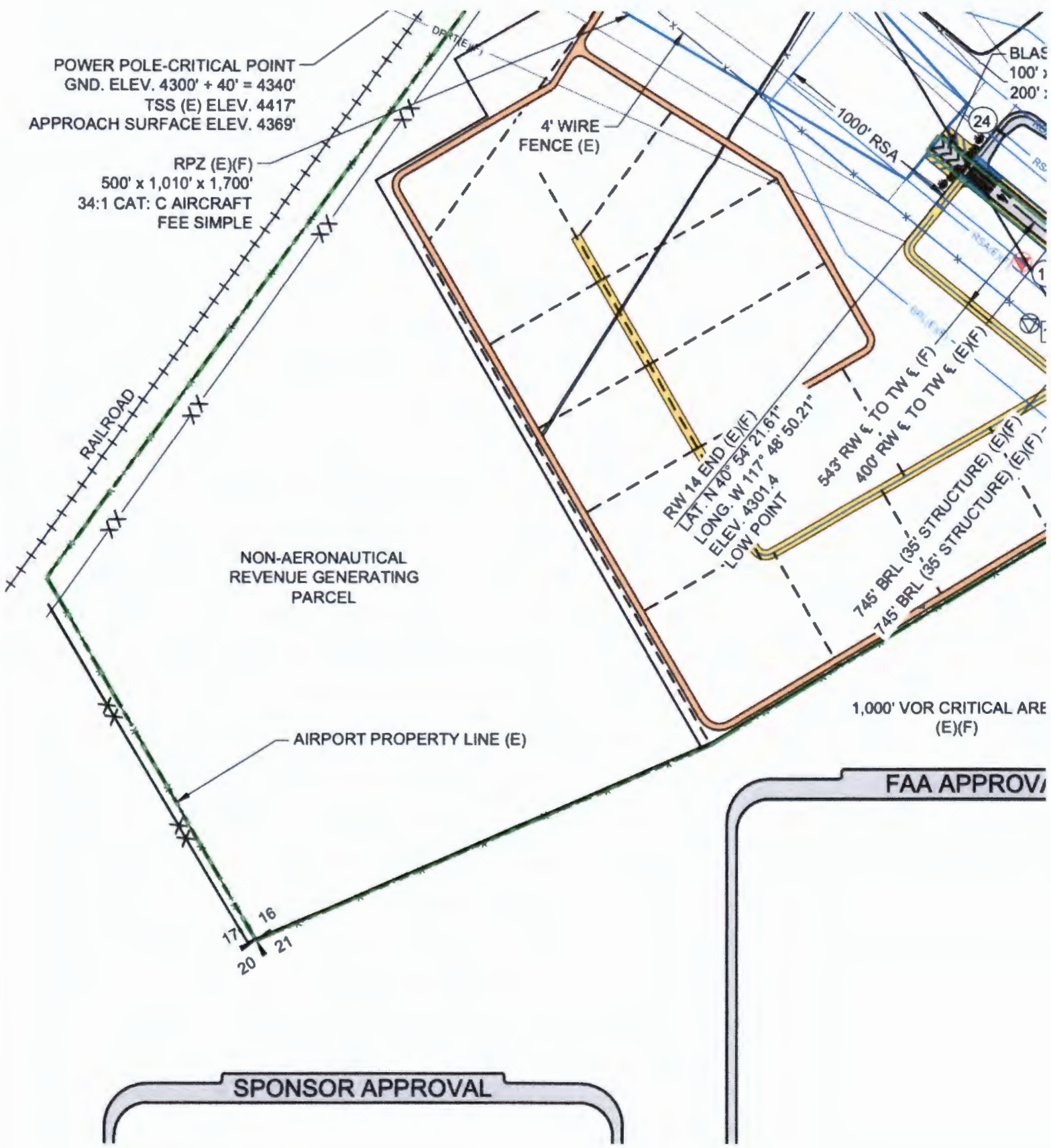
543' RW & TO TW & (F)
400' RW & TO TW & (E)(F)

745' BRL (35' STRUCTURE) (E)(F)
745' BRL (35' STRUCTURE) (E)(F)

1,000' VOR CRITICAL ARE
(E)(F)

FAA APPROVAL

SPONSOR APPROVAL



Chapter 17.59

AID AIRPORT INDUSTRIAL DISTRICT

17.59.010 Purpose.

The purpose of the airport industrial district is to define the types of industrial uses which may be conducted upon lands owned or operated by the city of Winnemucca *and* the County of Humboldt in the vicinity of the Winnemucca Municipal Airport and to protect these areas from incompatible uses. (Ord. 2-03-03A § 1)



Humboldt County Board of Commissioners
October 7, 2024 at 8:30 a.m.
Meeting Minutes

EXHIBIT G

Those present were Chairman Jesse Hill, Commissioners Tom Hoss, Ron Cerri, Ken Tipton and Mark Evatz, Chief Deputy District Attorney Wendy Maddox, County Manager Don Kalkoske and Clerk of the Board Tami Rae Spero.

CALL TO ORDER: Chairman Hill called the regular meeting to order at a special place of meeting the Humboldt County Library Meeting Room, 85 E. 5th St., Winnemucca, Nevada.

PLEDGE OF ALLEGIANCE: All in attendance recited the Pledge of Allegiance.

PUBLIC COMMENTS: Chairman Hill asked for public comment. Debra Gay offered public comment as to a petition she is circulating regarding revisiting the master plan and noted concerns with issues as to the industrial and AG and residential zoning in the area and the lack of the required updating of the plan; she stated that the area has become residential and is no longer suitable for industrial; she commented on concerns with the efforts to convert Miguel's property to commercial; she asked to be put on the agenda as to the master plan before anything gets done on it; she stated that the original master plan had no commercial and explained; she stated that the area should remain AG and spoke in support of that.

Deputy County Clerk Jessica Aguiar-Koepke appeared before the Commission and offered public comment informing the Commission that she has completed the process to become a certified election and registration administrator.

Christina Kennison offered public comment as to the zoning and master plan and the lack of availability of a copy of the master plan to them; she noted concerns with the area having industrial zoning due to the number of people who have moved into the area; the need for the updating of the master plan and the need for the residents of the area to have an input on the process.

APPROVAL OF MINUTES: Discussion and action on correction/approval of minutes for discussion and action on correction/approval of minutes: No minutes submitted for consideration.

APPROVAL OF EXPENDITURES FOR HUMBOLDT COUNTY FOR SEPTEMBER 16, 2024 THROUGH OCTOBER 7, 2024: The following motion was made by Commissioner Tipton and passed unanimously:

To approve the expenditures September 16, 2024 through October 7, 2024 as presented.

COMPTROLLER: Deputy Comptroller Weston Noyes appeared before the Commission.

FINANCIAL REPORT: Humboldt County Comptroller's Office will provide an overview of current conditions with respect to Humboldt County revenues and expenditures for fiscal year 2025 (July 1,

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2024 through June 30, 2025), including an update on the American Rescue Plan Act (ARPA) and other funding available to the County. Deputy Comptroller Noyes reported on the receipt of CTX for the month of July and the status of the ARPA funding for the County as to the HVAC system in Orovada. Discussion ensued regarding the status of the Orovada project.

LIBRARY: Library Director Jessica Anderson appeared before the Commission.

REQUEST TO APPROVE AMENDED LIBRARY BY-LAWS: Consideration, discussion and possible approval of amended Humboldt County Library Board of Trustee Bylaws to reflect the change of Co-Chairman to Vice-Chairman to better align with the Roberts Rules of Order. In Robert's Rules of Order under the section "Designating the Committee Chairman," it states that the anomalous title "co-chairman" should be avoided, as it causes impossible dilemmas in attempts to share the functions of a single position. Director Anderson reviewed the request for the Commission. The following motion was made by Commissioner Cerri and passed unanimously:

To approve the request to amend the Library by-laws as presented.

WINNEMUCCA EVENTS CENTER: WCVA Director Kim Petersen appeared before the Commission.

REQUEST TO APPROVE ROOF SEAL PROJECT BID: Consideration, discussion and possible approval of a bid from CTR Roofing, Inc. to clean, seal and replace the Event Center roof in an amount not to exceed \$33,800. A copy of the Staff Report detailing the request including the bid proposals from CTR Roofing and Static Roofing Systems, Inc. was included on the online agenda for review (see attached). Director Petersen reviewed the request for the Commission. Chairman Hill commented on the completeness of the RFP and stated his appreciation; he noted this was within the budgeted amount. Commissioner Hoss offered his appreciation for the use of the paperwork but asked that a signature line include a printed version of who signed; he questioned the length of the guarantee period and whether funding needs to be put away to replace the roof. Director Petersen responded. Discussion ensued including the inspection plan. The following motion was made by Commissioner Evatz and passed unanimously:

CTR Roofing, Inc. to clean, seal and replace the Event Center roof in an amount not to exceed \$33,800.00.

Chairman Hill stated that the Commission would be moving to item 16 on the agenda; he asked that the Commission go into closed session.

PLANNING:

10:00 A.M. PUBLIC HEARING: Chairman Hill called the public hearing to order at 10:02 a.m.

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CONTINUATION OF A REQUEST TO APPROVE VARIANCE AT THE AIRPORT: Consideration, discussion and possible approval of a variance, per HCC 17.66.050, submitted by Lithium Americas Corp to increase the allowed height of 3 stories or 35' in the AID zoning district to 137'. The applicant is proposing to place structures on the parcel as part of the transloading facility. **The property is located west of Airport Road; assessor's parcel #13-0242-01.** This item is a continuation of Public Hearing Item 8 (D) tabled on June 17, 2024. (Public Comment). Chairman Hill read the title of the item set to public hearing. Chairman Hill asked for public comment. **Debra Gay** offered public comment asking about the ownership of the land and voiced concerns with contracts proposed by the city and how that impacts the public; the issue with heavy industrial and associated chemicals and concerns with that; she again asked for clarification as to ownership of the airport; she questioned whether this complies with the airport master plan and noted potential conflict; that, if this is airport land, there **needs to be more due diligence as to what is being allowed at the airport.**

Brad Wigglesworth appeared before the Commission and offering public comment on his appreciation for the County waiting for the FAA study but noted his wish to see a requirement for lighted beacons on the structures and explaining.

Jamie Nicotera appeared before the Commission and offered public comment asking that this structure not be allowed and explaining how, if it is allowed, this is against the county's own words and voicing concerns about the impact on the airport as well as the residents; **she requested a new signed lease with lithium explaining what she would like to see in that lease; she asked that the Commission uphold the laws** and asked the Commission to help with this; she commented on the impact of this on airplanes coming into the airport; she **again asked the Commission to protect the community;** she commented on the Mayor's interview and what was said.

Robert Dolan appeared before the Commission and offered public comment about lithium mining in Serbia and what is occurring there; **he commented on the lack of input from the District Attorney or experts;** he commented on community members who have reached out to him and his **concern that this is creating unnecessary stress in the community.**

Christina Kennison appeared before the Commission and offered public comment including presenting items 1 through 4 as proposed exhibits – 1 – Chapter 17.58, item 2 – Humboldt County Regional Master Plan 3 – Industrial Zoning and 4 – Chapter 497 - Zoning. The Commission reviewed the exhibits as presented. Chief Deputy District Attorney Maddox noted that this property, per the staff report, has a

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zoning of AID, Airport Industrial District, Chapter 17.59. Ms. Kennison disagreed, stating that per the map this is within the A-H, Airport Hazard Combining District. Per direction from Chief Deputy District Attorney, Chairman Hill asked for a motion to accept the items into evidence. The following motion was made by Commissioner Cerri and passed unanimously:

To include in the record four documents submitted by Christina Kennison.

Ms. Kennison continued asking if there has been any type of approval of this facility going in the Airport Industrial District. Chief Deputy District Attorney Maddox stated that there have been no closed sessions regarding this issue. Ms. Kennison asked how a variance can be required if that has not been approved. Ms. Kennison continued commenting on issues with the zoning referencing exhibit language in 17.58.080. Chief Deputy District Maddox commented that the zoning referenced for this item is 17.59. Ms. Kennison responded that this property lies within the A-H zoning. Chief Deputy District Attorney Maddox responded that the Commission could listen to legal or Ms. Kennison. Ms. Kennison continued voicing concerns about the homework done by the County's legal and continued referencing the county's zoning and policies which discuss protecting property rights; she requested that this be done correctly. Commissioner Hoss offered his thanks to Ms. Kennison noting that all is being asked is that the Commission cover and obey the County laws without making variances when they are not applicable.

Mike Owens offered public comment noting that he serves as both a city council member and airport board member but that he is not representing either; he stated that it has been mentioned numerous times that the property in question is owned by the City of Winnemucca.

Debra Gay offered public comment asking for proof that the city is the sole owner of the property and that this structure is not situated on airport property.

Christina Kennison offered comment on Chapter 17.59 and its purpose.

Jamie Nicotera offered public comment noting that, even if it is the city's land, the laws apply to all of us and are there to protect everyone and this variance can't be accepted.

Betty Lawrence, Senior Planning Technician, appeared before the Commission (via Teams) and stated that a patent from the United States of America to the City of Winnemucca for this parcel had been recorded in 2008; she continued referencing Chapter 17.58 stating that it is incorrect and unenforceable.

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Commissioner Hoss offered comment on concerns about the status of the master plan, the zoning, the lack of a buffer zone, the lack of transparency, allowing a property to be designated as heavy industrial which is not allowed, concerns with the water, that there will be an impact on the residents though the staff report says it will not, the amount of train traffic, the lack of airport board approval, that it is a non-aeronautical use, that the area is light industrial only, the need to protect the airport and the residences around it, concerns with allowing a variance for this height noting how, just trees, have impacted the use of a runway in the past, the lack of updates to the master plan and the lack of signing off by the Commission. Mrs. Lawrence noted action by the Commission as to a zone change for this parcel to AID. Commissioner Cerri asked about the prohibited use identified. Mrs. Lawrence responded explaining what the information was provided by the City Attorney and noting that the Commission is only considering the variance as to height. Discussion ensued with Commissioner Evatz noting that this was just continued for the FAA review. Brad Wigglesworth appeared before the Commission and stated that the FAA variance letter specifically says its not a hazard to air navigation, it does not mention airport operations. Discussion ensued about the purpose of this agenda item and what needs to be considered including what the findings would be to potentially grant this. Chairman Hill stated that Ms. Kennison could readdress the Commission. Ms. Kennison appeared before the Commission and offered comment on the FAA's approval and their belief that Chapter 17.58 is in force. Chairman Hill offered comment on the purpose of a master plan, the purpose of zoning and the language of 17.66 as to exceptional or extraordinary circumstances; he stated that he does not see exceptional use to this property versus any other property within this application. Discussion ensued. Chief Deputy District Attorney Maddox referred to the language of 17.66. Discussion continued. Tom Karas with Lithium Americas, offered comment on Chapter 17.66 detailing the exceptional/extraordinary circumstances or conditions that apply to this particular parcel including that the location is near the Union Pacific Railroad and its size and topography. Discussion ensued. Mr. Karas reviewed what was submitted to the FAA based on a question by Commissioner Hoss, with Commissioner Hoss asking why the variance need wasn't included. Mr. Karas responded. Chairman Hill noted that the information provided by Mr. Karas regarding exceptional or extraordinary circumstances was not included in the application as submitted; he read what was included in the application. Commissioner Evatz commented on what the direction was during prior discussion on this item. Ms. Kennison asked that the Commission look at the FAA letters that have come back and comments related to other properties under consideration and how these

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queries go to different areas within the FAA. Commissioner Hoss commented on the FAA's determination and language included related to the non-relief of the sponsor for compliance and the possible impact on the airport services of this facility. Chief Deputy District Attorney Maddox stated that the Commission is deciding a variance. Chairman Hill noted that the exceptional circumstances were not included in the application but have now been identified which needs to be considered plus the need to include what is identified in B. Discussion ensued.

Chairman Hill recessed the meeting at 11:39 a.m. reconvening at 11:54 a.m.

Tom Karas, Lithium Americas, offered comment as to 17.66.020 and the required findings and how this parcel meets those requirements. Christina Kennison offered comment as to the language 17.66.020 and the required findings. Commissioner Evatz offered comment as to this request being specific to the height and the impact on the airport suggesting that, if the intent is to take this broader than that, it needs to occur at a future meeting. Commissioner Cerri offered a summary of his position and his struggles with the issues with section A as the application does not indicate the exceptional circumstances. Commissioner Tipton noted the knowledge of the reasons they wanted this site and, as to part B, the Loon tower was previously approved so he questioned why this request would be denied based on the facts given. Commissioner Hoss questioned why they need to go as high as they are requesting and again noted his concerns with the impact of anyone flying into the airport; he stated that Humboldt County should not keep going out there and changing items as the master plan is not being updated every five years as required; he noted the level of residential development in the area and concerns with allowing heavy industrial in the area. He stated that he would not support a variance. Chairman Hill referred to Chapter 17.66.020 as well as the language related to the application which allows for denial for failure to set forth facts that would sustain findings; he noted the need to be transparent in this process and the need to make sure everything lines up properly. The following motion was made by Commissioner Hoss:

To deny this application for a variance for that particular property.

Based on a query from the Chairman, Chief Deputy District Attorney Maddox stated that any decision whether it be to approve or deny needs to include the reasons why and it needs to comply with Code.

Commissioner Hoss offered the following amended motion:

To deny this application for a variance for that particular property for failure to set forth facts which would sustain such findings and sufficient ground for denial of the application and he would also bring

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out that we have laws that state that you can only go thirty-five feet there and it states right in the FAA that they will not go against the local government body and the local government body says that we can't have it there, we can't have a tower there, we can have a thirty-five footer and that's all.

Commissioner Hoss asked if the proposed motion was sufficient. Commissioner Evatz asked legal counsel for clarification, noting that this is not a tower it is a silo, if this means that insufficient information in the application, does it preclude them from re-applying. Deputy District Attorney Maddox responded. Chairman Hill reviewed the motion made by Commissioner Hoss and asked if everyone understood the motion. Commissioner Tipton asked for it to be repeated. Chairman Hill stated that Commissioner Hoss has a motion on the floor recommending denial and the reason for the recommendation of the denial is the failure to set forth facts which would sustain such findings as sufficient grounds for denial; in short, an incomplete application for the findings of extraordinary circumstances. Chairman Hill called Commissioner Hoss' motion to a vote and it passed with Chairman Hill and Commissioners Hoss and Cerri voting aye and Commissioners Tipton and Evatz voting nay. Clerk Spero asked for clarification on the vote. Chairman Hill asked for a clarification each Commissioner's vote and verified that it was three to two in favor of denial.

Chairman Hill asked for public comment. Ms. Kennison offered public comment stating that only one reason would be needed to deny, and all four items would be needed for approval according to the law on variance. Debra Gay offered public comment stating that if information had been provided and meetings had been held about allowing chemicals on the property this variance would not have ever come to the Board as it would have denied because of the chemical structure at the airport; she continued commenting on the truck traffic's impact on the airport operations and the need to look at the master plan and the impact of allowing big corporations to come into residential areas. Jamie Nicotera offered thanks to the Commission for looking at the facts and considering the community. Laurie Bento appeared before the Commission and offered public comment stating that they are not against bringing businesses in but they should be going into areas that are not residential.

Jedidah Hedges offered public comment voicing his opposition to placement of this facility in a residential area and so close to a school and explaining his concerns.

No further public comment offered.

Chairman Hill stated the Commission would now proceed to item 14 on the agenda.

PUBLIC WORKS DEPARTMENT: Public Works Director Daniel Ferraro appeared before the Commission.

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CHAPTER 496 - MUNICIPAL AIRPORTS

JOINT EXERCISE OF AUTHORITY

NRS 496.210 **Joint** exercise of powers by public agencies and municipalities.

1. For the purposes of this section, unless otherwise qualified:

(a) “Public agency” includes municipality, as defined in this chapter, any agency of the State Government and of the United States, and any municipality, political subdivision, and agency of another state.

(b) “Governing body” means the governing body of a county or municipality, and the head of the agency if the public agency is other than a county or municipality.

2. All powers, privileges and authority granted to any municipality by this chapter may be exercised and enjoyed jointly with any public agency of this state, and **jointly** with any public agency of any other state or of the United States to the extent that the laws of such other state or of the United States permit such **joint** exercise or enjoyment. If not otherwise authorized by law, any agency of the State Government when acting **jointly** with any municipality may exercise and enjoy all of the powers, privileges and authority conferred by this chapter upon a municipality.

[20:215:1947; 1943 NCL § 293.39]

NRS 496.220 **Agreements of public agencies for joint action: Mandatory and permissive provisions.**

1. Any two or more public agencies may enter into agreements with each other for **joint** action pursuant to the provisions of this section. Concurrent action by ordinance, resolution or otherwise of the governing bodies of the participating public agencies shall constitute joint action.

2. Each agreement shall specify:

(a) Its duration.

(b) The proportionate interest which such public agency shall have in the property, facilities and privileges involved.

(c) The proportion to be borne by each public agency of preliminary costs and costs of acquisition, establishment, construction, enlargement, improvement and equipment of the airport or air navigation facility.

(d) The proportion of the expenses of maintenance, operation, regulation and protection thereof to be borne by each.

(e) Such other terms as are required by the provisions of this section.

3. The agreement may also provide for:

(a) Amendments thereof.

(b) Conditions and methods of termination of the agreement.

(c) The disposal of all or any of the property, facilities and privileges jointly owned, prior to or upon the property, facilities and privileges, or any part thereof, ceasing to be used for the purposes provided in this chapter, or upon termination of the agreement.

(d) The distribution of the proceeds received upon any such disposal, and of any funds or other property jointly owned and undisposed of.

(e) The assumption or payment of any indebtedness arising from the joint venture which remains unpaid upon the disposal of all assets or upon a termination of the agreement.

(f) Such other provisions as may be necessary or convenient.

[21:215:1947; 1943 NCL § 293.40]

NRS 496.230 Joint board of public agencies: Members, number and term; powers; expenditures; eminent domain.

1. Public agencies acting jointly pursuant to this chapter shall create a joint board which shall consist of members appointed by the governing body of each participating public agency. The number to be appointed, their term and compensation, if any, shall be provided for in the joint agreement.

2. Each **joint** board **shall** organize, select officers for terms to be fixed by the agreement, and adopt and amend from time to time rules for its own procedure.

3. The **joint** board shall have power:

(a) To plan, acquire, establish, develop, construct, enlarge, improve, maintain, equip, operate, regulate, protect and police any airport or air navigation facility or any other facilities appertaining to the airport or airport hazard to be **jointly** acquired, controlled and operated.

(b) To contract or otherwise provide, by condemnation if necessary, for the removal of any airport hazard or the removal or the relocation of all private structures, railways, mains, pipes, conduits, wires, cables, poles and other facilities and equipment which may interfere with the location, expansion, development or improvement of such airports, restricted landing areas, other air navigation facilities, and any other facilities appertaining to the airport, or with the safe approach thereto or takeoff therefrom by aircraft.

(c) To pay the cost of removal or relocation.

4. The board may exercise on behalf of its constituent public agencies all the powers of each with respect to such airport, air navigation facility, or other facilities, or airport hazard, subject to the limitations of this section.

5. The total expenditures to be made by the **joint** board for any purpose in any calendar year shall be determined by a budget approved by the governing bodies of its constituent public agencies on or before the preceding December 1.

6. No airport, air navigation facility, other facilities, airport hazard, or real or personal property, the cost of which is in excess of sums therefor fixed by the **joint** agreement or allotted in the annual budget, may be acquired by the **joint** board; but the agencies exercising such power shall, in addition to the damage for the taking, injury or destruction of property, also pay the cost of removal or relocation of any structure, railways, mains, pipes, conduits, wires, cables, poles or any public utility which is required to be moved to a new location without the approval of the governing bodies of its constituent public agencies.

7. Eminent domain proceedings under this section may be instituted only by authority of the governing bodies of the constituent public agencies of the joint board. If so authorized, proceedings shall be instituted in the names of the constituent public agencies **jointly**, and the property so acquired shall be held by the public agencies as tenants in common until conveyed by them to the joint board.

8. The **joint** board shall not dispose of any airport, air navigation facility, other facilities, or real property under its jurisdiction except with the consent of the governing bodies of its constituent public agencies; but the **joint** board may, without such consent, enter into the contract, lease or other arrangements contemplated by NRS 496.090.

9. Any resolutions, rules, regulations or orders of the **joint** board dealing with subjects authorized by NRS 496.130 shall become effective only upon approval of the governing bodies of the constituent public agencies; but upon such approval, the resolutions, rules, regulations or orders of the **joint** board shall have the same force and effect in the territories or jurisdictions involved as the ordinances, resolutions, rules, regulations or orders of each public agency would have in its own territory or jurisdiction.

[22:215:1947; 1943 NCL § 293.41]—(NRS A 1967, 719)

NRS 496.240 Joint fund.

1. For the purpose of providing a **joint** board with moneys for the necessary expenditures in carrying out the provisions of this chapter, a **joint** fund shall be created and maintained, into which shall be deposited the share of each of the constituent public agencies as provided by the **joint** agreement. Each of the constituent public agencies shall provide its share of the fund from sources available to each.

2. Any federal, state or other contributions or loans, and the revenues obtained from the **joint** ownership, control and operation of any airport or air navigation facility under the jurisdiction of the **joint** board shall be paid into the **joint** fund.

3. Disbursements from the fund shall be made by order of the board, subject to the limitations prescribed in NRS 496.230.

[23:215:1947; 1943 NCL § 293.42]

NRS 496.230 Joint board of public agencies: Members, number and term; powers; expenditures; eminent domain.

1. Public agencies acting jointly pursuant to this chapter shall create a joint board which shall consist of members appointed by the governing body of each participating public agency. The number to be appointed, their term and compensation, if any, shall be provided for in the joint agreement.

2. Each joint board shall organize, select officers for terms to be fixed by the agreement, and adopt and amend from time to time rules for its own procedure.

3. The joint board shall have power:

(a) To plan, acquire, establish, develop, construct, enlarge, improve, maintain, equip, operate, regulate, protect and police any airport or air navigation facility or any other facilities appertaining to the airport or airport hazard to be jointly acquired, controlled and operated.

(b) To contract or otherwise provide, by condemnation if necessary, for the removal of any airport hazard or the removal or the relocation of all private structures, railways, mains, pipes, conduits, wires, cables, poles and other facilities and equipment which may interfere with the location, expansion, development or improvement of such airports, restricted landing areas, other air navigation facilities, and any other facilities appertaining to the airport, or with the safe approach thereto or takeoff therefrom by aircraft.

(c) To pay the cost of removal or relocation.

4. The board may exercise on behalf of its constituent public agencies all the powers of each with respect to such airport, air navigation facility, or other facilities, or airport hazard, subject to the limitations of this section.

5. The total expenditures to be made by the joint board for any purpose in any calendar year shall be determined by a budget approved by the governing bodies of its constituent public agencies on or before the preceding December 1.

6. No airport, air navigation facility, other facilities, airport hazard, or real or personal property, the cost of which is in excess of sums therefor fixed by the joint agreement or allotted in the annual budget, may be acquired by the joint board; but the agencies exercising such power shall, in addition to the damage for the taking, injury or destruction of property, also pay the cost of removal or relocation of any structure, railways, mains, pipes, conduits, wires, cables, poles or any public utility which is required to be moved to a new location without the approval of the governing bodies of its constituent public agencies.

7. Eminent domain proceedings under this section may be instituted only by authority of the governing bodies of the constituent public agencies of the joint board. If so authorized, proceedings shall be instituted in the names of the constituent public agencies jointly, and the property so acquired shall be held by the public agencies as tenants in common until conveyed by them to the joint board.

8. The joint board shall not dispose of any airport, air navigation facility, other facilities, or real property under its jurisdiction except with the consent of the governing bodies of its constituent public agencies; but the joint board may, without such consent, enter into the contract, lease or other arrangements contemplated by NRS 496.090.

9. Any resolutions, rules, regulations or orders of the joint board dealing with subjects authorized by NRS 496.130 shall become effective only upon approval of the governing bodies of the constituent public agencies; but upon such approval, the resolutions, rules, regulations or

orders of the joint board shall have the same force and effect in the territories or jurisdictions involved as the ordinances, resolutions, rules, regulations or orders of each public agency would have in its own territory or jurisdiction.

[22:215:1947; 1943 NCL § 293.41]—(NRS A [1967, 719](#))

NRS 496.090 Agreements for commercial or residential use of airport or facility; contracts for sale of securities.

1. In operating an airport or air navigation facility or any other facilities appertaining to the airport owned, leased or controlled by a municipality, the municipality may, except as limited by the terms and conditions of any grant, loan or agreement pursuant to [NRS 496.180](#), enter into:

(a) Contracts, leases and other arrangements with any persons:

(1) Granting the privilege of using or improving the airport or air navigation facility, or any portion or facility thereof, or space therein, for commercial purposes. The municipality may, if it determines that an improvement benefits the municipality, reimburse the person granted the privilege for all or any portion of the cost of making the improvement.

(2) Conferring the privilege of supplying goods, commodities, things, services or facilities at the airport or air navigation facility or other facilities.

(3) Making available services to be furnished by the municipality or its agents or by other persons at the airport or air navigation facility or other facilities.

(4) Providing for the maintenance of the airport or air navigation facility, or any portion or facility thereof, or space therein.

(5) Allowing residential occupancy of property acquired by the municipality.

(b) Contracts for the sale of revenue bonds or other securities whose issuance is authorized by the Local Government Securities Law or [NRS 496.150](#) or [496.155](#), for delivery within 10 years after the date of the contract.

2. In each case the municipality may establish the terms and conditions and fix the charges, rentals or fees for the privileges or services, which must be reasonable and uniform for the same class of privilege or service and must be established with due regard to the property and improvements used and the expenses of operation to the municipality.

3. Except as otherwise provided in this subsection, and as an alternative to the procedure provided in subsection 2 of [NRS 496.080](#), to the extent of its applicability, the governing body of any municipality

may authorize it to enter into any such contracts, leases and other arrangements with any persons, as provided in this section, for a period not exceeding 50 years, upon such terms and conditions as the governing body deems proper. The provisions of this subsection must not be used to circumvent the requirement set forth in subsection 2 of [NRS 496.080](#) that the disposal of real property be made by public auction.

4. Before entering into any such contract, lease or other arrangements, the municipality shall publish notice of its intention in general terms on the Internet website of the municipality, if the municipality maintains an Internet website, for a period of not less than 10 consecutive days, and in a newspaper of general circulation within the municipality at least once a week for 21 days or three times during a period of 10 days. If there is not a newspaper of general circulation within the municipality, the municipality shall post a notice of its intention in a public place at least once a week for 30 days. The notice must specify that a regular meeting of the governing body is to be held, at which meeting any interested person may appear. No such contract, lease or other arrangement may be entered into by the municipality until after the notice has been given and a meeting held as provided in this subsection.

5. Any member of a municipality's governing body may vote on any such contract, lease or other arrangement notwithstanding the fact that the term of the contract, lease or other arrangement may extend beyond the member's term of office.

[8:215:1947; 1943 NCL § 293.27]—(NRS A [1967, 716](#); [1987, 767](#); [1989, 721, 776, 1969](#); [1995, 846](#); [2005, 1469, 2680](#); [2011, 1867](#))

NRS 496.130 Municipality may adopt reasonable ordinances and regulations for airport management and operation; enforcement of ordinances or regulations; airports outside municipal limits subject to state and federal law.

1. A municipality that establishes or acquires an airport or air navigation facility may adopt, amend and repeal such reasonable ordinances, resolutions, rules, regulations or orders as it deems necessary for the management, government and use of the airport or air navigation facility under its control, whether situated within or outside of the territorial limits of the municipality.

2. For the enforcement thereof, the municipality may, by ordinance or resolution, as appropriate, appoint airport guards or police with full police powers which must be performed in compliance with the provisions of [NRS 171.1223](#), and fix penalties, within the limits prescribed by law, for the violation of the ordinances, resolutions, rules, regulations and orders. Penalties must be enforced in the same manner in which penalties prescribed by other ordinances or resolutions of the municipality are enforced.

3. A rule, regulation or ordinance must not be adopted, amended or repealed under this chapter, except by action of the governing body of the municipality after a public hearing in relation thereto at which public utilities owning facilities in the areas involved, and other interested persons, have an opportunity to be heard. At least 15 days' notice of the hearing must:

- (a) Be given to all public utilities owning facilities in the area involved; and

(b) Be published in an official paper or a paper of general circulation in the municipality or municipalities in which the airport is located.

→ This subsection does not apply to ordinances adopted pursuant to [NRS 350.579](#).

4. All ordinances, resolutions, rules, regulations or orders which are issued by the municipality must be kept in substantial conformity with the laws of this State, or any regulations adopted or standards established pursuant thereto, and, as nearly as possible, with the federal laws governing aeronautics and the rules, regulations or standards duly issued thereunder.

5. To the extent that an airport or other air navigation facility controlled and operated by a municipality is located outside the territorial limits of the municipality, it is subject to federal and state laws, rules or regulations, and under the jurisdiction and control of the municipality controlling or operating it. No other municipality has any authority to charge or exact a license fee or occupation tax for operations thereon.

[12:215:1947; 1943 NCL § 293.31]—(NRS A [1977, 277](#); [1987, 500](#); [2001, 1870](#))

VARIANCES AND SPECIAL USE OR CONDITIONAL USE PERMITS

The local government council or commission must take action on zoning ordinances and maps, including amendments; the jurisdiction's planning staff, planning commissions and zoning hearing examiners typically make findings of fact for recommendations for approval or denial that establish and confirm that zoning regulations and actions are in line with other actions and plans. In Washoe County, conformance of zoning regulations with the master plan is mandatory.

As can be found in many jurisdictions nationwide, [NRS 278.315](#) allows local governments to authorize variances and special or conditional use permits by a board of adjustment, the planning commission or a hearing examiner. Special exceptions are usually reviewed by local government staff and focused on the physical issues of the exception; they may also be reviewed by advisory bodies, such as town boards. A public hearing on an application is required within 65 days of submittal, while findings of need or detriment are determined by local government staff. NRS 278.319 also allows a process for minor deviations of less than 10 percent to be determined by a planning director or other designated staff member.

- **Variances** – In Nevada, variances are treated as an exemption from a local government's established standard; **they are not granted in order to permit uses in zoning districts in which a use is not allowed**, vary minimum spacing requirements, or relieve hardships that are solely personal, self-created or financial in nature. Variances are intended to provide relief to individual property owners where the regulations would create an undue hardship.
- **Special Use Permits** – A use requiring some type of special review as determined by a local government can require an additional permit. Conditions of approval typically accompany a special use permit, but these must be rationally related to the use, and may have impacts to both the property and off the premise. Certain land uses may require special use permits in some zoning districts whereas the same land use may be allowed by right in more intense land use districts.

Application requirements are determined by each jurisdiction, but noticing requirements are established by statute – in all counties except Washoe and Clark, notices must be sent to all property owners within 300 feet of the subject parcel, and all tenants of manufactured housing within 300 feet of the subject parcel. A provision to notify base commanders is also in place if the property is within 3,000 feet of a military installation. In Washoe and Clark counties, if the deviation is less than 30%, notifications must be sent to all property owners and tenants of manufactured housing within 100 feet of the subject parcel; however, if the deviation is greater than 30%, the notification radius expands to 500 feet and also includes the 30 closest separately owned parcels if they are not otherwise duplicated. Additional notification requirements are in place for Clark County establishments that serve alcoholic beverages (on or off premise) in districts that are not defined as gaming enterprise districts.

A process for an appeal of a decision made by a planning commission, board of adjustment, hearing examiner, or planning director may be made to either the elected governing body or district court, as required by NRS 278.3195

*Nevada Planning Guide page 16-17
Nevada APA
February 2017

STAFF REPORT VA-25-02

1. **SUBJECT:** A variance application submitted by Lithium Americas Corp to increase the allowed height of 35' or 3-stories in the AID zoning district to 137'. Applicant is proposing to place structures (1 @40'; 2 @ 137') on the property as part of the transloading facility.

2. **LOCATION:** Property is located west of Airport Road; assessor's parcel #13-0242-01.

3. **BACKGROUND INFORMATION:**

Zone change from AG-40 to AID approved 6/06/2012

Variance request to increase allowed height from 35' to 137' denied 10/07/2024

Zoning: AID (Airport Industrial District)

Master Plan: IND (Industrial)

Lot Area: 177.310 acres

Access: Airport Road

Response from Referrals:

No comments received from referrals as of March 26, 2025.

Applicable Regulations:

In the AID zoning district, no building or structure shall exceed three stories or thirty-five (35) feet, or the maximum height allowed per Chapter 17.58 HCC airport hazard combining district or FAA Standards.

4. **ANALYSIS:**

A. There are exceptional or extraordinary circumstances or conditions applicable to the property such as size, shape or topography, which do not apply generally to other property in the vicinity with the same district.

The property is located near the Winnemucca Regional Airport and is zoned AID. There are 2 parcels with a zoning designation of AID. The parcel leased by Lithium Americas Corp is the only one with the FAA designation of Non-Aeronautical Use. There are conditions that a property must have for the construction and operation of a transload terminal. The application reflects the conditions and those considered exceptional. Due to the zoning designation a height variance is required to allow placement of the proposed structures.

B. The granting of a variance will not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity with the same zoning.

Granting the variance would not exceed the maximum height per Chapter 17.58 HCC Airport Hazard Combining District or FAA Standards and would be consistent with other structures near the Airport. The Loon launch facility is an example.

- C. The granting of the variance will not be materially detrimental to the public health, safety and general welfare or injurious to property and improvements in the area in which the property is located.

This variance will not infringe upon any of the neighboring property owner's uses, rights, or privileges. Applicant will construct the structures per the County Building Department's requirement. The variance will not affect the appearance or atmosphere of the adjoining properties. Therefore, no health, safety, or welfare issues are raised.

The structures exceeding 35' are situated near the center of the 177 acre parcel and would be approximately 2,500 feet from the nearest off-site building.

- D. Such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant, which right is possessed by other owners under like conditions in the same zoning district.

The applicant is asking for a variance to allow structures, with the tallest being 137', constructed on the property. The increase in height is necessary for effective transloading of commodities from railcars to trucks. The variance is necessary to promote a safe and efficient transfer of materials with minimal environmental impact.

5. **FINDINGS:** After careful consideration, staff finds that this application **conforms** to the requirements of the Humboldt County Code Variance requirements as outlined in Chapter 17.66.
6. **STAFF RECOMMENDATION:** Based upon the above stated findings, staff recommends approval of this variance.
8. **SUPPORT MATERIAL:**
- A. Application with attachments
 - B. Assessor's parcel map
 - C. Site plan

Betty Lawrence/BL
Senior Planning Technician

RICHARD STONE, Mayor
ANDREW LINDSEY, Council Seat 1
THERESA L. MAVITY, Council Seat 2
VINCE MENDIOLA, Council Seat 3
ASHLEY MADEN, Council Seat 4
LYNDSEE JIMENEZ, Council Seat 5



Alicia E. Heiser, PhD, PE, Manager/Engineer (775) 623-6333
Ruth Fitzpatrick, Clerk/Treasurer (775) 623-6333
Mike Rangel, Police Chief (775) 623-6396
Fernando Vega, Public Works (775) 623-6381
Tom Heikkila, Parks and Recreation (775) 623-6325
Levi Carl, Building Department (775) 623-6319
Fax Number (775) 623-6090
E-Mail winnemucca@winnemuccacity.org

March 19, 2025

Humboldt County Board of Commissioners
50 W. Fifth Street
Winnemucca, NV 89445

Re: Request to Acquire Property Identified by APNs 14-0191-05, 14-0191-21, and 14-0191-22

Commissioners:

The City of Winnemucca (City) requests permission to acquire three parcels identified by APNs 14-0191-05, 14-0191-21, and 14-0191-22 and currently held in trust by the Humboldt County Treasurer. These parcels are located south of the Winnemucca Municipal Airport (WMC). A southerly extension of Runway 14/32 has been identified as a future capital improvement project on the WMC Airport Layout Plan (ALP), and acquisition of the subject parcels is required to accommodate the future expanded Runway Protection Zone (RPZ). The City is prepared to pay the amount of the delinquent taxes for the three parcels and intends to use the parcels for the public purpose of expanding the southerly RPZ of Runway 14/32. If you have any questions regarding this request, please contact the City Manager by phone at 775-623-6334 or by email at manager@winnemuccacity.org.

Thank you,

Alicia E. Heiser

Alicia E. Heiser, PhD, PE
City Manager/Engineer

City of Winnemucca
90 W. Fourth St.
Winnemucca, NV 89445
Ph. 775-623-6334

100 Years of Community Service, Pride, And Success

WINNEMUCCA EVENTS COMPLEX
LANDSCAPE AND IRRIGATION RETROFIT
ESTIMATED COSTS

Trees and shrubs	\$15,000
Decorative rock-approx. 450 tons (Sole Source)	\$ 5,500
Irrigation install & Planting (Contractor)	\$30,000
Fence repair and replacement (Sole Source)	\$ 9,000
Weed barrier 14,000 sq ft	\$ 2,500
Soil amendment	\$ 500
Temp labor	<u>\$ 5,000</u>
Estimated costs	\$67,500

Public Safety Communications Project

FY 2025 to date	\$ 244,227.32
FY 2024	\$ 1,450,842.69
FY 2023	\$ 577,516.63
FY 2022	\$ 1,017,783.34
FY 2021	\$ 815,700.77
FY 2020	\$ 1,417,865.40
FY 2019	\$ 3,401,941.61
FY 2018	\$ 682,582.40
FY 2017	\$ 658,372.83
FY 2016	\$ 548,214.74
FY 2015	\$ 142,227.52
	<u>\$ 10,957,275.25</u>

Original letter submitted during the FY 2015 budget hearings from CSI is attached.

TEL: (415) 751-8845
FAX: (415) 788-0791

CSI TELECOMMUNICATIONS, INC.
CONSULTING ENGINEERS
750 BATTERY ST., SUITE 350, SAN FRANCISCO, CA 94111

March 14, 2014

Mr. Bill Deist
Humboldt County Administrator
50 West Fifth Street
Winnemucca, NV 89445

Dear Bill,

Attached you will find the CSI estimates that should be included as part of the Humboldt County Communications estimated budget for FY 2014-2015. Since December 2013 CSI has been able to survey 12 out of the 18 Humboldt County Public Safety Radio Sites. The surveys helped us prioritize the type of work needing to be done at each site. Due to the number of deficiencies found, CSI needed to utilize broad general descriptions to capture the type of remedial work that is required at each site, and to provide the preliminary estimated cost for FY 2014-2015.

Work needing to be done at Humboldt County Sites

Please refer to the attached spreadsheet titled "Work needing to be done at Humboldt County Sites" which uses a pass/fail evaluation system for:

1. Shelter Repairs/Improvements
2. Grounding Repairs/Improvements
3. RF/Transmitter Combiners/Receiver Multicouplers
4. Number and type of radios
5. Number of microwave paths

In reviewing this page you will find all radio sites have deficiencies. For example, under Shelter Repairs/Improvements, Siapan Peak fails the commercial power evaluation since it only has 100 Amp service. To properly power the site including HVAC and battery systems the site needs a 200 Amp service.

The Dispatch Center failed the Grounding Repairs/ Improvement test due to the contractor bringing in a ground wire from the tower directly into the building. This provides a lightning strike a path into your building from the tower. The proper way of grounding is to have the building ground go directly from the building to a grounding system located directly outside the wall of the building. There are other corrective actions required for grounding to be effective but this example should give you an idea of the type of work required at most of the sites.

Under the RF/Transmitter Combiners/Receiver Multicouplers section you don't see any red but all of the sites fail due to self interference due to County transmitter and receiver frequencies being located too close to each other. This can only be corrected by managing the frequencies in use at the radio site, using the proper radio equipment and radio frequency filter systems called Transmitter Combiners and Receiver Multicouplers and proper antenna system placement.

Items 1 – 3 form the foundation of what needs to be immediately done at the radio sites. Items 4 and 5 describe the number and type of radios and number of microwave paths in use. This provides us an indication of the complexity of the individual radio sites and provides insight into future planning. As to prioritizing work the first sites to be done should be Dispatch, Winnemucca Mountain and Siapan Peak. The remaining sites need to be done in the FY 2014 - 2015.

FCC Licensing

There are 3 different types of FCC licenses utilized by Humboldt County. Part 90 covers the public safety radio system, Part 101 covers the microwave used to interconnect the public safety radio system and Part 74 covers your TV translator system. When we checked your FCC licenses covered under Parts 90 and 74 we found many problems. There were wrong latitude/longitude information, improper emission designators for P25, unlicensed radio transmitters at most sites and frequencies that had licenses but no use. There will need to be a substantial effort to mitigate these licensing problems.

To correct the self interference problem found at all sites it will be necessary to move transmitter frequencies away from the receiver frequencies. We have researched the FCC database and identified at least 13 new mobile only frequencies at the top of the VHF band. CSI would undertake the effort to obtain these frequencies while Humboldt County would need to pay the frequency coordination fees. These new radio frequencies would give Humboldt County the ability to isolate the transmitter frequencies from their receiver frequencies. An added benefit would be a cost reduction in the procurement of the Transmitter Combiners and Receiver Multicouplers.

We were later requested to look at your TV translator and television microwave licensing in view of the changing topography of the TV broadcast industry. The majority of your licenses have wrong latitude and longitude information, need to be renewed by the end of this year and will require corrective action with the FCC. While this is not part of our original contract CSI felt strongly that this problem needed to be addressed and we are able to help.

New Site Development

We were instructed to evaluate McDermitt Substation and Eagle Creek as radio sites. These two sites need new equipment shelters and towers. In the case of McDermitt there is a rack in a corner of a room with one antenna on a wood pole and another magnetic mount antennas sitting on the roof of the building. This does not constitute a radio site. The first step is to negotiate the placement of the shelter and tower with the agencies that control the development of these sites over the next year. Construction will follow shortly.

City of Winnemucca 2 Channel Radio System

As part of reviewing radio within Humboldt County we were asked to see what could be done to improve public safety radio coverage in Winnemucca. We were shown several possible radio site locations and evaluated them for use. In the current radio system design Winnemucca uses a transmitter and receiver located on Winnemucca Mountain with radio frequencies prone to self interference. In order to have good radio coverage we need to place radio equipment in the City of Winnemucca. CSI proposes building a 2 channel radio system with 4 voted receiver sites. One channel would be used by the Police Department and the second channel would be used by the Fire Department. Our preliminary design shows that both radio channels would provide portable in-building radio coverage.

Engineering and Contingency Costs

With any project this early in the development phase many of the estimates are soft. CSI prefers to be conservative with its estimates and has added an estimated 15% engineering cost and 20% Contingency cost to the budgetary estimate. Our expectation is these figures will come down as the project parameters are refined.

Closing

Please review the Budgetary Estimate for fiscal year 2014 – 2015 on the following pages. As you have questions please feel free to contact me.

Best Regards,



Steve Overacker
Project Manager, CSI Telecommunication, Inc.

Attachment: HC 1 YR Budgetary Estimate ver 1.2.xls

cc: M.S. Newman
P.M. Kane, P.E. / Esquire

Areas of Work	Cost Estimate from Linked Worksheet
Shelter Repairs/Improvements	\$ 60,500.00
Grounding Repairs/Improvements	\$ 72,400.00
RF/TX Combiners / RX Multicouplers	\$ 180,200.00
FCC Licensing - Part 90 Land Mobile	\$ 47,330.00
FCC Licensing - Part 101 Microwave	\$ 52,500.00
New Site Development	\$ 5,000.00
Humboldt County PS Subtotal	\$ 417,930.00
FCC Licensing - Part 74 Broadcast Auxiliary	\$ 96,000.00
Humboldt County + TV Broadcast Subtotal	\$ 513,930.00
Winnemucca 2 Channel Radio System	\$ 160,650.00
Humboldt & Winnemucca Subtotal	\$ 674,580.00
Estimated Engineering Costs (15% of Work)	\$ 101,187.00
Subtotal including Engineering	\$ 775,767.00
20% Contingency	\$ 134,916.00
Total for FY 2014 - 2015	\$ 910,683.00

ID	Name	Duration	Start	Finish	Predecessors	Qtr 2, 2025			Qtr 3, 2025			Qtr 4, 2025			Qtr 1, 2026			Qtr 2, 2026			Qtr 3, 2026			Qtr 4, 2026		
						Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
48	Tower Shipment to County	5 days	6/25/26 8:00...	7/1/26 5:00...	47																					
49	Shelter Procurement	162 days	4/24/25 8:00...	12/5/25 5:00...																						
50	Verify Shelter Requirements	2 days	4/24/25 8:00...	4/25/25 5:00...	40																					
51	Detailed Shelter Design with Shelter Vendor	80 days	4/28/25 8:00...	8/15/25 5:00...	50																					
52	Shelter Production/Refurbishment	75 days	8/18/25 8:00...	11/28/25 5:00...	51																					
53	Shelter Shipping to County	5 days	12/1/25 8:00...	12/5/25 5:00...	52																					
54	Site Development	205 days	10/16/25 8:00...	7/29/26 5:00...																						
55	Civil Plans	20 days	10/16/25 8:00...	11/12/25 5:00...	35;46;51																					
56	Construction Bid and Contract Award	60 days	11/13/25 8:00...	2/4/26 5:00...	36;55																					
57	Grading and Site Prep	30 days	3/23/26 7:00...	5/1/26 5:00...	56																					
58	Tower and Shelter Installation	20 days	7/2/26 8:00...	7/29/26 5:00...	53;48;57																					
59	Radio Equipment Procurement and Implementation	380 days	4/10/25 8:00...	9/23/26 5:00...																						
60	Microwave Procurement	120 days	4/17/25 8:00...	10/1/25 5:00...	27SS;39																					
61	Microwave and Antenna Installation	40 days	7/30/26 8:00...	9/23/26 5:00...	58;60																					
62	LMR Equipment Procurement	120 days	4/10/25 8:00...	9/24/25 5:00...	39																					
63	LMR Equipment Cold Installation	20 days	7/30/26 8:00...	8/26/26 5:00...	58;62																					
64	Site Commissioning	0 days	9/23/26 5:00...	9/23/26 5:00...	61;63																					
65	GoConda	406 days	4/2/25 8:00...	10/21/26 5:00...																						
66	Planning and Engineering	26 days	4/2/25 8:00...	5/7/25 5:00...																						
67	Confirm Shelter Size	1 day	4/2/25 8:00...	4/2/25 5:00...																						
68	Site Layout	5 days	4/3/25 8:00...	4/9/25 5:00...	67																					
69	Geotech analysis	20 days	4/10/25 8:00...	5/7/25 5:00...	68																					
70	Determine power routing/distribution plan	5 days	4/3/25 8:00...	4/9/25 5:00...	67																					
71	Verify generator requirements	2 days	4/3/25 8:00...	4/4/25 5:00...	67																					
72	Finalize backhaul design	5 days	4/3/25 8:00...	4/9/25 5:00...	67																					
73	Create a cutover plan	10 days	4/10/25 8:00...	4/23/25 5:00...	72																					
74	Tower Procurement	275 days	4/10/25 8:00...	4/29/26 5:00...																						
75	Verify Tower Requirements	5 days	4/10/25 8:00...	4/16/25 5:00...	72																					
76	Tower Bid and award	60 days	5/8/25 8:00...	7/30/25 5:00...	69																					
77	Finalize Contract design details	10 days	7/31/25 8:00...	8/13/25 5:00...	76																					
78	Tower Manufacturing	180 days	8/14/25 8:00...	4/22/26 5:00...	77																					
79	Tower Shipment to County	5 days	4/23/26 8:00...	4/29/26 5:00...	78																					
80	Shelter Procurement	162 days	4/24/25 8:00...	12/5/25 5:00...																						
81	Verify Shelter Requirements	2 days	4/24/25 8:00...	4/25/25 5:00...	73																					
82	Detailed Shelter Design with Shelter Vendor	80 days	4/28/25 8:00...	8/15/25 5:00...	81																					
83	Shelter Production/Refurbishment	75 days	8/18/25 8:00...	11/28/25 5:00...	82																					
84	Shelter Shipping to County	5 days	12/1/25 8:00...	12/5/25 5:00...	83																					
85	Site Development	203 days	8/18/25 8:00...	5/27/26 5:00...																						
86	Civil Plans	20 days	8/18/25 8:00...	9/12/25 5:00...	82;77																					
87	Construction Bid and Contract Award	60 days	9/15/25 8:00...	12/5/25 5:00...	75;86																					
88	Grading and Site Prep	30 days	12/8/25 8:00...	1/16/26 5:00...	87																					
89	Tower and Shelter Installation	20 days	4/30/26 8:00...	5/27/26 5:00...	79;88;84																					
90	Radio Equipment Procurement and Implementation	400 days	4/10/25 8:00...	10/21/26 5:00...																						
91	Microwave Procurement	120 days	4/17/25 8:00...	10/1/25 5:00...	27SS;72																					
92	Microwave and Antenna Installation	40 days	7/30/26 8:00...	9/23/26 5:00...	28SS;89;91																					
93	LMR Equipment Procurement	120 days	4/10/25 8:00...	9/24/25 5:00...	72																					
94	LMR Equipment Cold Installation	20 days	5/28/26 8:00...	6/24/26 5:00...	89;93																					

ID	Name	Duration	Start	Finish	Predecessors	Qtr 2, 2025		Qtr 3, 2025			Qtr 4, 2025			Qtr 1, 2026			Qtr 2, 2026			Qtr 3, 2026			Qtr 4, 2026						
						Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec			
95	Site Commissioning	20 days	9/24/26 8:00...	10/21/26 ...	94;92																								
96	Valmy	426 days	4/2/25 8:00...	11/18/2...		[Gantt bar for Valmy project]																							
97	Planning and Engineering	26 days	4/2/25 8:00...	5/7/25 5:...		[Gantt bar for Planning and Engineering]																							
98	Confirm Shelter Size	1 day	4/2/25 8:00...	4/2/25 5:...		[Gantt bar for Confirm Shelter Size]																							
99	Site Layout	5 days	4/3/25 8:00...	4/9/25 5:...	98	[Gantt bar for Site Layout]																							
100	Geotech analysis	20 days	4/10/25 8:00...	5/7/25 5:...	99	[Gantt bar for Geotech analysis]																							
101	Determine power routing/distribution plan	5 days	4/3/25 8:00...	4/9/25 5:...	98	[Gantt bar for Determine power routing/distribution plan]																							
102	Verify generator requirements	2 days	4/3/25 8:00...	4/4/25 5:...	98	[Gantt bar for Verify generator requirements]																							
103	Finalize backhaul design	5 days	4/3/25 8:00...	4/9/25 5:...	98	[Gantt bar for Finalize backhaul design]																							
104	Create a cutover plan	10 days	4/10/25 8:00...	4/23/25 5:...	103	[Gantt bar for Create a cutover plan]																							
105	Tower Procurement	260 days	4/10/25 8:00...	4/8/26 5:...		[Gantt bar for Tower Procurement]																							
106	Verify Tower Requirements	5 days	4/10/25 8:00...	4/16/25 5:...	103	[Gantt bar for Verify Tower Requirements]																							
107	Tower Bid and award	60 days	4/17/25 8:00...	7/9/25 5:...	106	[Gantt bar for Tower Bid and award]																							
108	Finalize Contract design details	10 days	7/10/25 8:00...	7/23/25 5:...	107	[Gantt bar for Finalize Contract design details]																							
109	Tower Manufacturing	180 days	7/24/25 8:00...	4/1/26 5:...	108	[Gantt bar for Tower Manufacturing]																							
110	Tower Shipment to County	5 days	4/2/26 8:00...	4/8/26 5:...	109	[Gantt bar for Tower Shipment to County]																							
111	Shelter Procurement	162 days	4/24/25 8:00...	12/5/25 ...		[Gantt bar for Shelter Procurement]																							
112	Verify Shelter Requirements	2 days	4/24/25 8:00...	4/25/25 5:...	104	[Gantt bar for Verify Shelter Requirements]																							
113	Detailed Shelter Design with Shelter Vendor	80 days	4/28/25 8:00...	8/15/25 5:...	112	[Gantt bar for Detailed Shelter Design with Shelter Vendor]																							
114	Shelter Production/Refurbishment	75 days	8/18/25 8:00...	11/28/25 ...	113	[Gantt bar for Shelter Production/Refurbishment]																							
115	Shelter Shipping to County	5 days	12/1/25 8:00...	12/5/25 5:...	114	[Gantt bar for Shelter Shipping to County]																							
116	Site Development	188 days	8/18/25 8:00...	5/6/26 5:...		[Gantt bar for Site Development]																							
117	Civil Plans	20 days	8/18/25 8:00...	9/12/25 5:...	113;108	[Gantt bar for Civil Plans]																							
118	Construction Bid and Contract Award	60 days	9/15/25 8:00...	12/5/25 5:...	100;117	[Gantt bar for Construction Bid and Contract Award]																							
119	Grading and Site Prep	30 days	12/8/25 8:00...	1/16/26 5:...	118	[Gantt bar for Grading and Site Prep]																							
120	Tower and Shelter Installation	20 days	4/9/26 8:00...	5/6/26 5:...	110;119;115	[Gantt bar for Tower and Shelter Installation]																							
121	Radio Equipment Procurement and Implementation	420 days	4/10/25 8:00...	11/18/2...		[Gantt bar for Radio Equipment Procurement and Implementation]																							
122	Microwave Procurement	120 days	4/17/25 8:00...	10/1/25 5:...	27SS;103	[Gantt bar for Microwave Procurement]																							
123	Microwave and Antenna Installation	40 days	7/30/26 8:00...	9/23/26 5:...	28SS;120;...	[Gantt bar for Microwave and Antenna Installation]																							
124	LMR Equipment Procurement	120 days	4/10/25 8:00...	9/24/25 5:...	103	[Gantt bar for LMR Equipment Procurement]																							
125	LMR Equipment Cold Installation	20 days	9/24/26 8:00...	10/21/26 ...	120;123;124	[Gantt bar for LMR Equipment Cold Installation]																							
126	Site Commissioning	20 days	10/22/26 8:00...	11/18/26 ...	125;123	[Gantt bar for Site Commissioning]																							
127	Lone Tree	383 days	5/5/25 8:00...	10/21/2...		[Gantt bar for Lone Tree project]																							
128	Planning and Engineering	25 days	5/5/25 8:00...	6/6/25 5:...		[Gantt bar for Planning and Engineering]																							
129	Verify Generator Requirements	10 days	5/5/25 8:00...	5/16/25 5:...		[Gantt bar for Verify Generator Requirements]																							
130	Finalize backhaul design	5 days	5/19/25 8:00...	5/23/25 5:...	129	[Gantt bar for Finalize backhaul design]																							
131	Create a cutover plan	10 days	5/26/25 8:00...	6/6/25 5:...	130	[Gantt bar for Create a cutover plan]																							
132	Site Improvements	60 days	6/9/25 8:00...	8/29/25 ...		[Gantt bar for Site Improvements]																							
133	TBD	60 days	8/9/25 8:00...	8/29/25 5:...	131	[Gantt bar for TBD]																							
134	Radio Equipment Procurement and Implementation	366 days	5/26/25 8:00...	10/21/2...		[Gantt bar for Radio Equipment Procurement and Implementation]																							
135	Microwave Procurement	120 days	9/1/25 8:00...	2/13/26 5:...	122SS;133	[Gantt bar for Microwave Procurement]																							
136	Microwave and Antenna Installation	40 days	7/30/26 8:00...	9/23/26 5:...	28SS;135	[Gantt bar for Microwave and Antenna Installation]																							
137	LMR Equipment Procurement	120 days	5/26/25 8:00...	11/7/25 5:...	130	[Gantt bar for LMR Equipment Procurement]																							
138	LMR Equipment Cold Installation	20 days	11/10/25 8:00...	12/5/25 5:...	137	[Gantt bar for LMR Equipment Cold Installation]																							
139	Site Commissioning	20 days	9/24/26 8:00...	10/21/26 ...	138;136	[Gantt bar for Site Commissioning]																							

ID	Name	Duration	Start	Finish	Predecessors	Timeline																				
						Qtr 2, 2025			Qtr 3, 2025			Qtr 4, 2025			Qtr 1, 2026			Qtr 2, 2026			Qtr 3, 2026			Qtr 4, 2026		
						Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
1	Seipan	406 days	4/2/25 8:00...	10/21/26...		[Gantt bar spanning from 4/2/25 to 10/21/26]																				
2	Planning and Engineering	26 days	4/2/25 8:00...	5/7/25 5:00...		[Gantt bar from 4/2/25 to 5/7/25]																				
3	Confirm Shelter Size	1 day	4/2/25 8:00...	4/2/25 5:00...		[Gantt bar from 4/2/25 to 4/2/25]																				
4	Site Layout	5 days	4/3/25 8:00...	4/9/25 5:00...	3	[Gantt bar from 4/3/25 to 4/9/25]																				
5	Geotech analysis	20 days	4/10/25 8:00...	5/7/25 5:00...	4	[Gantt bar from 4/10/25 to 5/7/25]																				
6	Determine power routing/distribution plan	5 days	4/3/25 8:00...	4/9/25 5:00...	3	[Gantt bar from 4/3/25 to 4/9/25]																				
7	Verify generator requirements	2 days	4/3/25 8:00...	4/4/25 5:00...	3	[Gantt bar from 4/3/25 to 4/4/25]																				
8	Finalize backhaul design	10 days	4/3/25 8:00...	4/16/25 5:00...	3	[Gantt bar from 4/3/25 to 4/16/25]																				
9	Create a cutover plan	10 days	4/17/25 8:00...	4/30/25 5:00...	8	[Gantt bar from 4/17/25 to 4/30/25]																				
10	Tower Procurement	260 days	4/17/25 8:00...	4/15/26...		[Gantt bar from 4/17/25 to 4/15/26]																				
11	Verify Tower Requirements	5 days	4/17/25 8:00...	4/23/25 5:00...	8	[Gantt bar from 4/17/25 to 4/23/25]																				
12	Tower Bid and award	60 days	4/24/25 8:00...	7/16/25 5:00...	11	[Gantt bar from 4/24/25 to 7/16/25]																				
13	Finalize Contract design details	10 days	7/17/25 8:00...	7/30/25 5:00...	12	[Gantt bar from 7/17/25 to 7/30/25]																				
14	Tower Manufacturing	180 days	7/31/25 8:00...	4/8/26 5:00...	13	[Gantt bar from 7/31/25 to 4/8/26]																				
15	Tower Shipment to County	5 days	4/9/26 8:00...	4/15/26 5:00...	14	[Gantt bar from 4/9/26 to 4/15/26]																				
16	Shelter Procurement	162 days	5/1/25 8:00...	12/1/26...		[Gantt bar from 5/1/25 to 12/1/26]																				
17	Verify Shelter Requirements	2 days	5/1/25 8:00...	5/2/25 5:00...	9	[Gantt bar from 5/1/25 to 5/2/25]																				
18	Detailed Shelter Design with Shelter Vendor	80 days	5/5/25 8:00...	8/22/25 5:00...	17	[Gantt bar from 5/5/25 to 8/22/25]																				
19	Shelter Production/Refurbishment	75 days	8/25/25 8:00...	12/5/25 5:00...	18	[Gantt bar from 8/25/25 to 12/5/25]																				
20	Shelter Shipping to County	5 days	12/8/25 8:00...	12/12/25 5:00...	19	[Gantt bar from 12/8/25 to 12/12/25]																				
21	Site Development	200 days	8/25/25 8:00...	5/29/26...		[Gantt bar from 8/25/25 to 5/29/26]																				
22	Civil Plans	20 days	8/25/25 8:00...	9/19/25 5:00...	13;18	[Gantt bar from 8/25/25 to 9/19/25]																				
23	Construction Bid and Contract Award	60 days	9/22/25 8:00...	12/12/25 5:00...	5;22	[Gantt bar from 9/22/25 to 12/12/25]																				
24	Grading and Site Prep	30 days	3/23/26 7:00...	5/1/26 5:00...	23	[Gantt bar from 3/23/26 to 5/1/26]																				
25	Tower and Shelter Installation	20 days	5/4/26 8:00...	5/29/26 5:00...	15;20;24	[Gantt bar from 5/4/26 to 5/29/26]																				
26	Radio Equipment Procurement and Implementation	395 days	4/17/25 8:00...	10/21/26...		[Gantt bar from 4/17/25 to 10/21/26]																				
27	Microwave Procurement	120 days	4/17/25 8:00...	10/1/25 5:00...	8	[Gantt bar from 4/17/25 to 10/1/25]																				
28	Microwave and Antenna Installation	40 days	7/30/26 8:00...	9/23/26 5:00...	25;27;61SS	[Gantt bar from 7/30/26 to 9/23/26]																				
29	LMR Equipment Procurement	120 days	4/17/25 8:00...	10/1/25 5:00...	8	[Gantt bar from 4/17/25 to 10/1/25]																				
30	LMR Equipment Cold Installation	20 days	6/1/26 8:00...	6/26/26 5:00...	25;29	[Gantt bar from 6/1/26 to 6/26/26]																				
31	Site Commissioning	20 days	9/24/26 8:00...	10/21/26 5:00...	30;28	[Gantt bar from 9/24/26 to 10/21/26]																				
32	Golconda Summit	326 days	4/2/25 8:00...	7/1/26 5:00...		[Gantt bar from 4/2/25 to 7/1/26]																				
33	Planning and Engineering	66 days	4/2/25 8:00...	7/2/25 5:00...		[Gantt bar from 4/2/25 to 7/2/25]																				
34	Confirm Shelter Size	1 day	4/2/25 8:00...	4/2/25 5:00...		[Gantt bar from 4/2/25 to 4/2/25]																				
35	Site Layout	5 days	4/3/25 8:00...	4/9/25 5:00...	34	[Gantt bar from 4/3/25 to 4/9/25]																				
36	Geotech analysis	20 days	4/10/25 8:00...	5/7/25 5:00...	35	[Gantt bar from 4/10/25 to 5/7/25]																				
37	Determine power routing/distribution plan	5 days	4/3/25 8:00...	4/9/25 5:00...	34	[Gantt bar from 4/3/25 to 4/9/25]																				
38	Verify generator requirements	2 days	4/3/25 8:00...	4/4/25 5:00...	34	[Gantt bar from 4/3/25 to 4/4/25]																				
39	Finalize backhaul design	5 days	4/3/25 8:00...	4/9/25 5:00...	34	[Gantt bar from 4/3/25 to 4/9/25]																				
40	Create a cutover plan	10 days	4/10/25 8:00...	4/23/25 5:00...	39	[Gantt bar from 4/10/25 to 4/23/25]																				
41	Lease	60 days	4/10/25 8:00...	7/2/25 5:00...		[Gantt bar from 4/10/25 to 7/2/25]																				
42	Finalize BLM Approval	60 days	4/10/25 8:00...	7/2/25 5:00...	35	[Gantt bar from 4/10/25 to 7/2/25]																				
43	Tower Procurement	260 days	7/3/25 8:00...	7/1/26 5:00...		[Gantt bar from 7/3/25 to 7/1/26]																				
44	Verify Tower Requirements	5 days	7/3/25 8:00...	7/9/25 5:00...	39;42	[Gantt bar from 7/3/25 to 7/9/25]																				
45	Tower Bid and award	60 days	7/10/25 8:00...	10/1/25 5:00...	44	[Gantt bar from 7/10/25 to 10/1/25]																				
46	Finalize Contract design details	10 days	10/2/25 8:00...	10/15/25 5:00...	45	[Gantt bar from 10/2/25 to 10/15/25]																				
47	Tower Manufacturing	180 days	10/16/25 8:00...	6/24/26 5:00...	46	[Gantt bar from 10/16/25 to 6/24/26]																				