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# The Humboldt Sun

Winnemucca, Nev.

Your Source for Community News

VOLUME 41, ISSUE 14

**WEEKDAY EDITION**



**SNAPSHOTS**

Great Basin Gold recently presented a check to Grass Valley Elementary School teacher Dawn Lucas and her fourth-grade class for the book drive they have been doing for the Busesa Mixed Day and Boarding School in Uganda.

Page 12



**SPORTS**

The McDermitt High School varsity boys basketball team ran its winning streak to eight games with a pair of homes wins this past weekend to close out the regular season.

Pages 13-15

**IN FOCUS**

Take a look back at 76 years of Peraldo Distributing serving northern Nevada.

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- Northern Nevada Events . Page 7
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- Classifieds ..... Pages 20-21

**Local Weather**

<b>Tue 2/16</b>	61/34	
Considerable cloudiness. High 61F. Winds light and variable.		
<b>Wed 2/17</b>	61/32	
Fairly cloudy. Highs in the low 60s and lows in the low 30s.		
<b>Thu 2/18</b>	56/30	
Abundant sunshine. Highs in the mid 50s and lows in the low 30s.		

2010 American Prairie Homeland Current Service

## Conditional use permit for landfill extended five years

**RPC approves request on 5-2 vote**

By Heather Gula  
The Humboldt Sun

WINNEMUCCA — The Humboldt County Regional Planning Commission voted 5-2 Feb. 11 that good cause existed to prolong Jungo Land and Investment Inc.'s bid for a large-scale operation in Humboldt County.

Planning Commissioners Walter Lee and Stephen Nye provided dissenting votes. Nye indicated he would only approve the extension application if language was added specifying information to be provided during annual reviews. RPC Chairman Ray Olsen and many other RPC members who voted in favor of keeping the language as it exists felt the specification was already included.

According to Humboldt County Ordinance 17.68.090, the RPC has a very narrow scope with this decision.

Attorney John Frankovich — representing JLLI — reaffirmed that scope, explaining it was a very limited decision in front of the board.

"The merit of the project is not before you, it is not whether it is a good project or a bad project," Frankovich said. "The question is whether Jungo Land has proceeded in good form to satisfy your conditions and therefore that is a good cause for the extension."

Senior Planning Technician Betty Lawrence read from a memo to the board explaining that the Regional Planning Department found that JLLI provided good cause in a letter to the RPC dated Jan. 19. Lawrence



HEATHER GULA • The Humboldt Sun

Left to right, Recology COO George McGrath, Planner Erin Merrill and John Frankovich (the attorney representing Jungo Land and Investment, Inc.) present their argument to the Regional Planning Commission Feb. 11. They argued that good cause exists to provide a five-year extension of the landfill's Conditional Use Permit. The commission ultimately voted 5-2 that good cause did exist.

went on to explain that evidence of the good cause included delays in the permitting process. Based on the information provided, staff recommended approval of JLLI's application for a five-year extension.

Frankovich explained that when the Conditional Use Permit was unanimously approved on April 12, 2007, a timeframe of three to five years was estimated to obtain permits. The RPC approved a three-year CUP which, according to Frankovich, put JLLI on a tight schedule as is. There were anticipated delays such as the slow progress of permitting with Union Pacific Railroad. However there were also unanticipated delays such as the delays in NDEP permitting as they respond to numerous comments made on the air quality permit.

"We did not anticipate the challenges both legally and politically that have occurred in the last year to seek to revoke it, all of which occurred over two years

after we started," Frankovich explained.

Recology Planner Erin Merrill updated the commission with a status report and a rundown of the historic and ongoing permit and development activity.

Public scrutiny has slowed the progress of the NDEP permit process, specifically on the air quality application. In May of 2009 the draft air permit was issued and went out for public comment. As part of that process a public meeting was held and NDEP must then create responses to each and every comment permitted. Although that has delayed the issuance of the final permit, they do anticipate the permit will be issued shortly.

The storm water prevention plan is in a "nearly final draft" and is pending additional comments from NDEP.

Further, she indicated that during this extended permitting — See VOTE, Page Two —



HEATHER GULA • The Humboldt Sun

Regional Planning Commission member Rich Brown discusses concerns over transparency of the board's actions with Nevadans Against Garbage founder LeAnn Iroz during the Feb. 11 RPC meeting. For more, see Page Eight.

## Planning commission fends off allegations of cover-up

**Transparency issues addressed during meeting**

By Heather Gula  
The Humboldt Sun

WINNEMUCCA — Perhaps the most contentious portion of the Feb. 11 Humboldt County Regional Planning Commission meeting — which primarily addressed the permit extension for Jungo Land and Investment Inc.'s permit extension — came in the form of dialogue between Nevadans Against Garbage founder LeAnn Iroz and RPC member Rich Brown over the alleged mishandling of the issue.

"There have been many frustrations related to the transparency and the progress of this project," Iroz began. "With the level of interest it has, we were very troubled to see a county board place so little importance on this extension request that it was

originally placed as a consent agenda item."

She then explained that unless someone on the board or in the public had requested that the item be moved from the consent agenda to public discussion it would have been voted on as a group of items up for consent and no discussion would have occurred.

"We hope that in the future items of such a contentious nature be placed in this portion of the agenda," she said.

Brown stated that he took exception to her allegation, asking at what point exactly there was a lack of transparency on the issue.

"Well in the beginning did you see this many people in the audience?" Iroz asked. "It doesn't appear to me that things were transparent in the beginning because now that NAG has been on the scene and we have made people aware that this issue is transparent you see this

— See OPEN, Page Two —

## Battle Mountain hospital CEO to join Humboldt General staff

**Lindsey ready for a change after 21 years at BMGH**

By Heather Singer  
The Humboldt Sun



Peggy Lindsey

WINNEMUCCA — Battle Mountain General Hospital's CEO and administrator for the past six years is stepping down March 31 to take a position at Humboldt General Hospital in Winnemucca.

Peggy Lindsey, who has worked at Battle Mountain General Hospital for more than 21 years, said it was time for a change. She will become the physician services director at Humboldt General.

"The community will benefit by someone giving 100 percent attention to the hospital clinics in customer service, hours and scheduling," said Jim Parrish, CEO of Humboldt General Hospital. "She will be spending a good deal of her time recruiting new physicians to the community. We are really excited for her to get here."

"It has been a wonderful journey," said Lindsey. "I have learned a lot. I have had wonderful experiences and I've enjoyed the employees I've worked with and the governing board I've

served. Overall, it was just time for a change. That is the only reason."

Lindsey will begin her new job April 1. She found out she was chosen for the position on Christmas Eve.

"I am very excited about the change," she said.

Parrish said he is happy she will soon be a part of his staff.

"I feel pretty good about it," he said. "She has been very successful in Battle Mountain. She has been CEO in Battle Mountain and they've been very successful over there in a bad market. She is very knowledgeable in hospital business."

Currently, former Battle Mountain Hospital Board — See LINDSEY, Page 11 —



COURTESY PHOTO

Event coordinator Stuart Scofield announces photo contest winners at the 2009 Shooting the West event in Winnemucca.

## Register now for Shooting the West

**Workshops for photography symposium are filling up quickly**

By Heather Singer  
The Humboldt Sun

WINNEMUCCA — This year's 22nd annual Shooting the West photography symposium

and workshops are sure to be a crowd pleaser with well-known professional and amateur photographers coming from across the state and nation.

The time to register for the symposium and workshops is now, said Lorraine Giurlani, who has been serving on the Shooting the West Committee for 22 years. The workshops are filling up especially fast, she said.

"The emphasis is on digital

photography and becoming proficient in digital photography because many people have switched over to that," said Giurlani, who has done photography as a hobby for more than 40 years.

The workshops will be held March 10 — 11, with the symposium on March 12 — 13 and another workshop on March 14. The event will be held in both halls of the Winnemucca

— See WEST, Page Two —

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**Nevada Hazard Mitigation Planning Committee (NHMPC)**  
looking for comments from the public for the State Hazard Mitigation Plan update. Go to [www.dem.state.nv.us](http://www.dem.state.nv.us) and click on Mitigation Projects. The 2007 State Hazard Mitigation Plan is presented in sections. Complete the Mitigation Feedback Form provided.

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## Krolicki decides not to seek Reid's U.S. Senate seat

CARSON CITY (AP) — Nevada Lt. Gov. Brian Krolicki won't seek the Republican nomination for the U.S. Senate seat held by Democrat Harry Reid.

In a conference call Thursday, Krolicki said he will seek re-election in November to the job he's held since 2006.

Krolicki had been courted by

Republican leaders in Washington, D.C., to enter the GOP primary that already has about a dozen contenders seeking to unseat Reid, the Democratic senate majority leader who is seeking a fifth term.

Current Republican front-runners include former GOP state party chairwoman Sue Lowden

and Danny Tarkanian, son of former UNLV basketball coach Jerry Tarkanian.

Krolicki was elected lieutenant governor in 2006 after serving two, four-year terms as state treasurer. In 2008, just weeks after saying he was considering challenging Reid, he was indicted by a Clark County

grand jury on charges of mishandling a state college savings program he founded while treasurer.

No money was ever missing from the \$3 billion college plan. A Clark County judge dismissed the indictment in December and Attorney General Catherine Cortez-Masto, a Democrat, declined to pursue it further.

## WEST

(Cont. from Page One)  
Convention Center. This year's speakers include well-known local and national photographers Jay Dusard, C.J. Hadley, Jodi Cobb, Mark Citret, Gordon Allen, Marilyn Newton and many more. Doris Dwyer will present a Chautauqua performance of Margaret Bourke-White, a pioneering photographer.

Giurlani said people who come to the event range from those who view photography as a hobby to those who make a career out of it. The event usually draws 250 — 275 people to Winnemucca from across the nation.

"It brings a lot of people into the community during a quiet time in March so we have people

who are contributing to the local economy and we have visitors who stay in local hotels and motels and eat at the restaurants," said Giurlani.

Giurlani added that many of the attendees enjoy coming to Winnemucca because of the atmosphere.

"I think they like coming to a really friendly small western town," she said. "They enjoy their time here. It is relaxed and they get to chat with professional photographers and show their work. They also can arrange to have one on one sessions where photographers can critique their work."

Symposium topics include the latest camera hardware and software, lighting for action sports,

focusing on the west, a life in pictures and photographing the non-descript. At the event, there will also be an announcement of the winners of "Range Magazine's" photo contest. In addition, there will be a Give it Your Best Shot photo contest. There will also be individual photo assessment and portfolio reviews.

During the symposium portion March 12 — 13, photo exhibits will be set up for the public to browse for free between 8 a.m. and 5 p.m.

Workshop topics include how to create your own book, location lighting, managing your photos online with Flickr, digital asset management and much more. A special workshop on

photographing the working cowboy will be held from 8 a.m. to 4 p.m. on March 14 by Jay Dusard.

"I think it is a wonderful event for Winnemucca," said Giurlani.

The event, which was founded by local rancher Linda Dufurrena and Humboldt County Library Director Sheri Allen, is coordinated by Stuart Scofield and the Shooting the West Committee, which consists of 12 area members including Dufurrena and Allen.

Event vendors include Epson, Floating Island Press, Hasselblad, Pictureline and much more. For more information or to register, visit [www.shootingthewest.org](http://www.shootingthewest.org) or call Scofield at (775) 623-3501.

## OPEN

(Cont. from Page One)  
Brown further asserted that it was agendized, noticed and posted as all RPC items are and appeared in the newspaper, albeit after the item had gone through the application process.

Brown stated that the RPC followed a very strict set of rules per Nevada Revised Statutes. Everything was noticed as required yet no one attended the meetings at that time.

Iroz objected. "But do you see people now?" she asked.

RPC Chairman Ray Olsen asked: "Where were you three years ago?"

The audience collectively responded with outbursts of: "We didn't know."

To which Olsen asserted, "It was in the paper."

placed on the agenda, she would not have been aware until after the agenda came out that the item was to be addressed.

RPC member Bob Edwards explained that it was placed on the draft agenda as a consent item prior to review of that agenda. He said he was certain that once staff had reviewed the agenda, the item would have been brought to the commission's attention and would have been brought down from the consent agenda. If that had not occurred for one reason or another, the public is still able to make such a request as a fail-safe to ensure that discussion is allowed.

In addition, Brown said the agenda was not even out yet

when she is claiming she was not made aware that JLLI was already on the agenda. Once that agenda was posted the items on the agenda would have been public knowledge.

Iroz commented about the additional scrutiny the project has undergone over the past several months, saying that it was the public's duty to become involved at any point that they felt the issue warranted.

"As members of this community, state and country, if we have concerns about our health, safety and welfare and about the future of our community for decades to come, do we not have the right, responsibility and duty to stand up and voice our opinions and concerns?" she asked.

## VOTE

(Cont. from Page One)  
process and through local, state and federal scrutiny, JLLI has continued to incur costs in pursuit of the project and additional legal support.

"To date, in reliance on the CUP Junco Land and Investments has invested approximately \$900,000 on the Nevada aspect of the project and approximately \$65,000 on the Bay Area side of the project," she said. "We fully intend to proceed with this project and we have worked very hard in reliance on the permit to satisfy all of the conditions and get the necessary approvals. We have acted in good faith and request that you agree with us tonight that there is good cause to grant the extension."

Frankovich added a number of other factors that have served to delay the project in the last year. That list included NDEP permits that have been delayed by third-party intervention, two petitions seeking to revoke the CUP and subsequent hearings held and appealed that are now in the court system with a judicial review set

in May of 2010. He also cited the fact that it is still unknown if that decision will be appealed.

"That is a factor that affects the whole process when you are being sued to revoke your permit," Frankovich said. "A local group was formed to politically oppose the project and they have effectively put political pressure on local, state and federal authorities. They went so far as a letter from a U.S. senator to the governor of Nevada asking him to intercede in the permitting process. That was in my opinion a rather extraordinary event, the results of which are predictable, the project is under greater scrutiny. We don't mind the greater scrutiny, we are satisfied that we will meet any requirements that anyone puts on us, but you can't deny that it has caused delay."

RPC member Joyce Cox asked for clarification if the board had the latitude to approve a two- or three-year extension rather than the five years that had been applied for.

Board member Rich Brown explained that what was before the RPC was an application for a five-year extension, the board would need to approve it or deny it and give direction to JLLI to return with a three-year application for consideration.

Nye and Cox then debated their ability to impose such a change on the application and Nye indicated he felt review should occur more frequently than in five-year durations.

Frankovich agreed that five years was a rather lengthy extension. However, he explained that there is no way to gauge how long the current lawsuit is going to last or whether further lawsuits will be filed as NDEP approves remaining permits.

He said they would agree to a shorter period of time if the period of time while the issue was under litigation would not be counted against them or if the RPC would "almost guarantee a further extension if litigation continued."

RPC Chairman Ray Olsen agreed: "With all the litigation that is going on I think they

deserve the five years."

Board member Bob Edwards subsided Nye's concerns by pointing out that the CUP required annual review and that with a five-year extension the board would still have the ability to require that they review the project annually.

Further, item 1 of the CUP acceptance form states in part that the applicant is responsible for obtaining all permits and providing copies to the planning department within 30 days of permit finalization.

Further, item 5 of that same document states, "this Conditional Use Permit shall be subject to an annual review."

Nye made a motion to change the language of the CUP, providing specific instruction to allow for annual review and to provide both legal and permit status updates at that time. No second was provided for that motion.

Brown motioned to approve the extension application per staff recommendation. The motion passed with Nye and Lee providing dissenting votes.

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