

**CITY COUNCIL MINUTES
JOINT CITY COUNCIL/HUMBOLDT COUNTY COMMISSION MEETING
October 1, 2007**

The Winnemucca City Council met in a special joint meeting with the Humboldt County Commission on Monday, October 1, 2007 at 11:00 a.m. in the County Courthouse meeting room at 25 West Fifth Street. City Officials present: Mayor Di An Putnam and Councilmen Richard Stone, Doug Cain, Joyce Sheen, Patty Herzog and Don Stoker. City Staff present: City Attorney Kent Maher, City Manager Steve West and City Clerk Eddy Davis. County Officials present: Commission Chairman John Milton and Commissioners Chuck Giordano, Garley Amos, Dan Cassinelli and Tom Fransway. County Staff present: County Administrator Bill Deist, County Clerk Tami Spero and Deputy District Attorney Theresa Wriston.

CALL TO ORDER

Mayor Putnam called the City Council portion of the meeting to order at 11:00 a.m.

PUBLIC / PERSONAL COMMUNICATION / CORRESPONDENCE:

There were no public or personal communications or correspondence.

DISCUSSION / ACTION ON ITEMS OF BUSINESS & OTHER REPORTS:

BUSINESS IMPACT DETERMINATION

The Council agreed that no item on this agenda appears to impose a direct and significant economic burden on a business or appears to directly restrict the formation, operation or expansion of a business. Councilman Sheen made a motion that the Council finds no item on this agenda appears to impose a direct and significant economic burden on a business or appears to directly restrict the formation, operation or expansion of a business per staff recommendation. Motion carried unanimously.

JOINT RESOLUTION / CABLE TELEVISION FRANCHISE TRANSFER / RAPID CABLE TELEVISION, LLC-PC ONE CABLE, LLC

City Attorney Maher explained the proposed resolution to authorize assignment of the cable television franchise is similar to resolutions the County and City have adopted in the past. The current operator of the television franchise, Rapid Communications (aka Rapid Cable), is selling their local cable system and franchise right to PC One Cable. The City and County are the collective franchising authority, and the franchise agreement and the approval process by the federal regulatory authorities require City and County consent to the transaction. The adoption of the proposed resolution will facilitate the transfer process. County Administrator Deist said this is a straightforward proposal and felt there is no reason to deny adoption. Maher noted there were no indications in the documents from the cable companies that there will be upgrades to the current cable television system. Councilman Stoker said there was an inconvenience to the general public because a local cable company office was not established here but felt the published phone number available to the public was better than nothing. Stoker questioned whether the City and/or County could require a local office to be established. Maher noted that federal legislation precluded most local control on cable television operators. Councilman Sheen moved for the City and Commissioner Fransway moved for the County to adopt the proposed resolution giving consent to the assignment of the cable television franchise from Rapid Cable Television, LLC and its subsidiaries-affiliates (Transferor) to PC One Cable, LLC (Transferee). Motions carried unanimously. Joint Resolution No. 2007-02.

SOLID WASTE MANAGEMENT ORDINANCE AMENDMENT / ORDINANCE INTRODUCTION

City Attorney Maher said a private entity is seeking authorization to dispose of out-of-area solid waste at a proposed disposal site in western Humboldt County. The current City and County ordinances (WMC Chapter 8.04 and HCC Chapter 13.12) only allow for disposal at the Humboldt County regional landfill. In order for the private entity to obtain commitments from the railroad on terms and conditions to transport solid waste to the proposed disposal site, they need assurance that solid waste from outside the area can be accepted at the proposed site. County Administrator Deist said this ordinance amendment is the first step in the process of negotiating a fee contract to allow out-of-area solid waste to be disposed of in the landfill district. Maher concurred that the proposed ordinance amendment would allow for the negotiation of a fee structure when a proposal is received. Commissioner Fransway clarified for the record that a presentation has not been made to the County Commission concerning any kind of a proposal from a private entity to dispose of the out-of-area solid waste. Commission Chairman Milton said this proposal will not approve of any private waste disposal company and that issue will be negotiated when a proposal is made, but this amendment does allow for doors to open towards the creation of additional landfill sites. Councilman Stoker moved for the City and Commissioner Amos moved for the County to set for public hearing an amendment to amend Winnemucca Municipal Code Chapter 8.04, Solid Waste Management, and Humboldt County Code Chapter 13.12, Solid Waste Management, to provide regulation for the disposal of solid waste at sites in the Landfill District other than the Humboldt County Regional Landfill. Motions carried unanimously.

PROPERTY PURCHASE / NEAR AIRPORT / CITY-HUMBOLDT COUNTY-HUMBOLDT DEVELOPMENT AUTHORITY

City Manager West said the land to be purchased consists of approximately 177.31 acres south of the Union Pacific Railroad track and west of Airport Road. The purchase price is \$180,000 for the land and \$50 for a processing fee for conveyance of the mineral interests, at a total cost of \$180,050. West recommends authorizing the property purchase to meet Phase II and Phase III expansion goals at the airport. He indicated that the HDA had committed \$10,000 and a \$60,000 grant had been received from the NCED for this purchase, leaving a balance of \$55,025 each for the City and County to pay. County Administrator Deist concurred. Bureau of Land Management (BLM) representative Bob Edwards said the BLM at present can only sell the remaining property located north of the railroad right-of-way to governmental entities in this area, but starting in 2010 private entities are eligible to purchase those lands. Councilman Stone moved for the City and Commissioner Fransway moved for the County to proceed towards the purchase of BLM land located south of the Union Pacific Railroad track and west of Airport Road described as Lots 3, 8, 10, 11, 15, 16, and 17 and Parcels B and C of Section 15, T35N, R37E, MDB&M, being approximately 177.31 acres, at the appraised value of \$180,000 plus a \$50 processing fee for conveyance of the mineral interests, for a total of \$180,050. Motions carried unanimously.

WATER CANYON COOPERATIVE MANAGEMENT AGREEMENT

Dave Lefevre, BLM Recreation Planner, reviewed the Water Canyon cooperative management agreement currently in place between the BLM, Humboldt County and the City, including sections regarding trash disposal, "Friends of Water Canyon" group initiative, and coordination of biannual meetings between the entities. Lefevre noted the recent fire in the area resulted in

