

Monday, July 20, 2009

A special meeting of the Humboldt County Board of Health was called to order on Monday, July 20, 2009, at 9:45 a.m. in the regular place of meeting at the Courthouse, Winnemucca, Nevada. Those present were Chairman Tom Fransway, Commissioners Chuck Giordano, Dan Cassinelli, Garley Amos Jr. and Mike Bell, Sheriff Ed Kilgore, Administrator Bill Deist and Clerk of the Board Tami Rae Spero.

**PUBLIC COMMENTS:** Chairman Fransway asked for public comments. None were offered.

**APPROVAL OF THE MCDERMITT GENERAL IMPROVEMENT DISTRICT PER NRS 318.170(2) AS REQUESTED UNDER ORDINANCE NO. 06-20-09(07-20-09) THAT WILL REORGANIZE AND EXPAND THE MCDERMITT SEWER DISTRICT INTO THE "MCDERMITT GENERAL IMPROVEMENT DISTRICT" WITH POWER TO FURNISH SEWER AND WATER:** Bill Macdonald, legal counsel for the McDermitt Sewer District appeared before the Board and detailed what has occurred to this point and what the requirements are under Nevada Revised Statute. After discussion the following motion was made by Commissioner Amos and passed unanimously:

*To approve the establishment of the GID per NRS 318.170(2).*

**ADJOURNMENT:** Commissioner Amos motioned to adjourn the meeting and said motion passed unanimously. The County Board of Health adjourned at 9:54 a.m.

ATTESTED:

*Tami Rae Spero*  
Clerk

APPROVED:

*Tom Fransway*  
Chairman

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Monday, July 20, 2009

The regular meeting of the Humboldt County Board of Commissioners was called to order on Monday, July 20, 2009, at 10:00 a.m. in the regular place of meeting at the Courthouse, Winnemucca, Nevada. Those present were Chairman Tom Fransway, Commissioners Chuck Giordano, Dan Cassinelli, Garley Amos Jr. and Mike Bell, Deputy District Attorney Angie Elquist, Administrator Bill Deist and Clerk of the Board Tami Rae Spero.

**MINUTES:** Chairman Fransway offered corrections to the minutes of July 6, 2009. The following motion was made by Commissioner Bell and passed unanimously:

*To approve minutes of the July 6, 2009, meeting as amended.*

**PUBLIC COMMENTS:** Chairman Fransway asked for public comments. None were offered.

**ADMINISTRATIVE REPORT:**

**CONSENT AGENDA:** The following items were presented under the consent agenda by Administrator Deist for the Board's review/action:

1. **Request for adjustments to the Humboldt County Real Property Tax Roll:** Requests 09-10-01 through 09-10-03 were provided to the Board for review.  
*Recommendation: That the requests be approved as recommended by the Assessor and Treasurer.*

The following motion was made by Commissioner Cassinelli and passed unanimously:

*To approve the Consent Agenda.*

**SOLID WASTE MATTERS:** Administrator Deist stated that there would be a Landfill Committee meeting this afternoon at 1:00 p.m.

**PUBLIC LANDS PLANNING MATTERS & FORMULATION OF COUNTY POSITION ON BLM, FOREST SERVICE AND THE FEDERAL FISH AND WILDLIFE SERVICE**

**PROPOSED ACTIONS:** Administrator Deist stated that he had nothing on this item.

**QUARTERLY INSPECTION OF THE ADULT DETENTION CENTER - COMMISSIONER**

**FRANSWAY:** Chairman Fransway stated that he would be conducting the quarterly inspection of the Detention Center following today's meeting.

**MISCELLANEOUS REPORTS AND CORRESPONDENCE:**

**OTHER INFORMATION AND UPCOMING MEETINGS:** Administrator Deist stated that a

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a training session would be offered by the State Ethics Commission at the Convention Center on July 28, 2009; he noted that Deputy District Attorney Elquist had researched the matter and the item did not need to be agendaized as it is not a meeting but a training session. Discussion occurred regarding who would be attending the annual NACO conference. Upcoming meetings and dates of importance were noted.

**REPORTS FROM COMMISSIONERS REGARDING OTHER BOARDS AND COMMITTEES THEY SERVE ON:** None offered.

**CLAIMS FOR EXPENDITURES OF COUNTY FUNDS:** The following motion was made by Commissioner Bell and passed unanimously:

*To approve the claims for expenditures of County funds as presented.*

**APPROVAL TO FILE AN AMICUS CURIAE BRIEF WITH ELKO COUNTY AND POSSIBLE OTHER COUNTIES TO SUPPORT BLM'S MOTION TO SEVER AND TRANSFER THE CLAIMS FOR RELIEF INVOLVING ACTIONS IN NEVADA TO THE NEVADA DISTRICT COURT (WESTERN WATERSHED VS. BLM):** Deputy District

Attorney Elquist detailed the difference between being an intervener as discussed at a prior meeting and the filing of an Amicus Curiae Brief noting that intervention would not work at this time. After discussion the following motion was made by Commissioner Cassinelli:

*To approve the Amicus Brief.*

Discussion occurred regarding where the brief would be filed and if there would be a cost. Chairman Fransway called Commissioner Cassinelli's motion to a vote and it passed unanimously.

**PUBLIC HEARING AND POSSIBLE APPROVAL OF AN ORDINANCE REORGANIZING AND EXPANDING THE McDERMITT SEWER DISTRICT INTO THE "McDERMITT GENERAL IMPROVEMENT DISTRICT" WITH POWER TO FURNISH SEWER AND**

**WATER:** A copy of the Notice of Public Hearing and the proposed ordinance were provided to the Board for review. Chairman Fransway read the title of the item proposed for action. Bill Macdonald, legal counsel for the McDermitt Sewer District appeared before the Board. Mr. Macdonald detailed the process to this point and stated that no complaints had been received by the Sewer Board or the County Clerk. Chairman Fransway asked for public comment; none offered.

The following motion was made by Commissioner Amos:

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*To approve an ordinance reorganizing and expanding the McDermitt Sewer District into the McDermitt General Improvement District with power to furnish sewer and water services.*

Mr. Macdonald requested that Commissioner Amos consider including in the motion the boundaries of the district being the north 1/2 of section 4 and the north 1/2 of section 5 lying east of U.S. Highway 95 north 202.6 feet of the northwest 1/4 northeast 1/4 northwest 1/4 and all of section 32 and section 33, sections 4 and 5 of township 47 north, range 38 east and sections 32 and 33 of township 48 north, range 38 east as shown in the map previously viewed by the Board. After discussion Commissioner Amos agreed and offered the following amended motion which passed unanimously:

*To approve an ordinance reorganizing and expanding the McDermitt Sewer District into the McDermitt General Improvement District with power to furnish sewer and water services with the boundaries as set forth in the ordinance.*

*(Ordinance 07-20-09)*

**BRIEFING FROM GENE SEIDLITZ, DISTRICT MANAGER WINNEMUCCA BLM, ON THE RUBY PIPELINE PROJECT:**

Gene Seidlitz District Manager of the Winnemucca Field Office of the Bureau of Land Management appeared before the Board. Mr. Seidlitz detailed the proposed natural gas pipeline which will extend from Wyoming to Oregon including the size, the agencies involved, the process for approvals, the public hearings, the considered alternatives, the right-of-way issues, the location in Humboldt County, possible tribal involvement and the schedule. Chairman Fransway asked for public comment. Gary Bengochea commented on the routes and easements. Administrator Deist noted that meetings had occurred involving the company handling this project and the Building & Safety Director, the Road Superintendent and himself regarding road and building issues involved with the project.

**ROAD MATTERS:** Road Superintendent Ben Garrett appeared before the Board.

**REVIEW AND POSSIBLE AWARD OF QUOTES FOR WATER TANKERS:** Superintendent Garrett stated that this item was being pulled from consideration in order to review the quotes further. The Board agreed to continue the item.

**REPORT OF PENDING ROAD DEPARTMENT PROJECTS/MISCELLANEOUS ROAD**

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**RELATED MATTERS:** Superintendent Garrett updated the Board on the mag chloride project, a meeting which he will be attending to discuss alternate products for dust control and the chip/cape seal project; he noted that there would be a meeting on Friday with NDOT regarding the stimulus funds. Discussion occurred regarding the condition of Mercury Street and it's chip seal and the road at Daveytown.

Chairman Fransway stated that he would be abstaining from discussion and action on item seven as he has a shared interest in some property which may be involved. Chairman Fransway turned the meeting over to Vice-Chairman Cassinelli and left the meeting.

**REQUEST FOR A LETTER OF SUPPORT FOR NEYADA GEOTHERMAL POWER'S GRANTS FOR NGP PROJECTS IN HUMBOLDT COUNTY:**

An e-mail from Sharlet Berentsen requesting a letter of support for the projects including details regarding the two projects and samples of other letters of support offered and a copy of the letter of support offered by the Winnemucca City Council were provided to the Board for review. Administrator Deist stated that this request is being made to assist the NGP projects to go after some federal stimulus money; he reviewed the items provided to the Board. Commissioner Giordano asked that the letter be more generic to show that the Commission supports that type of power in that field, then to say a specific company as he does not like the idea of government just naming a certain company. Administrator Deist suggested that as other requests for this type of action may be received that generic language be used showing the Commission's support for development of geothermal power in Humboldt County such as what is being done at these locations. Commissioner Giordano and Commissioner Bell agreed noting that it could include support for any type of alternative energy. After discussion the following motion was made by Commissioner Giordano and passed with Vice-Chairman Cassinelli and Commissioners Giordano, Amos and Bell voting aye and Chairman Fransway abstaining:

*That the County Administrator would write up a letter supporting, not specifically a certain company, but the idea behind the situation and that we are in favor of any kind of development with alternative power.*

Discussion occurred regarding who would sign the letter given the Chairman had abstained from this action. Commissioner Giordano stated that the Vice-Chairman would sign; the Board

concurring.

Vice-Chairman Cassinelli turned the meeting back over to Chairman Fransway.

**ADOPTION OF A RESOLUTION PROCLAIMING THE WEEK OF AUGUST 2-8, 2009 AS THE AMERICAN RED CROSS REAL HEROES WEEK:** A copy of the proposed resolution was provided to the Board for review. Administrator Deist noted that this is an annual request. The following motion was made by Commissioner Amos and passed unanimously:

*To adopt the resolution proclaiming the week of August 2-8, 2009 as the American Red Cross Real Heroes Week.*

*(Resolution 07-20-09)*

Commissioner Amos volunteered to attend the Real Heroes banquet as a representative of the Board of Commissioners.

**PLANNING MATTERS:**

**VH-09-04 - A medical health hardship application submitted by Howard E. And Lucienne C. Harris, who together with their son, Terry Harris, need assistance from family and are requesting to allow placement of a second dwelling for their granddaughter, Heather Harris, and her two minor children, so that she may provide said needed assistance. The property is located at 8285 Alta Ave.; APN #014-096-02:** Chairman Fransway stated that this item is being continued as the applicant has not provided all necessary information.

**COMPTROLLER'S OFFICE:**

**ADOPTION OF A RESOLUTION ADOPTING THE 7-09 UPDATE OF THE HUMBOLDT COUNTY CAPITAL IMPROVEMENT PLAN:** A copy of the proposed resolution was provided to the Board for review. Administrator Deist noted that this is an annual requirement and reviewed the Capital Improvement Plan for the Board. The following motion was made by Commissioner Cassinelli and passed unanimously:

*To adopt the resolution for Humboldt County Capital Improvement Plan.*

*(Resolution No. 07-20-09a)*

**REQUEST FOR A WAIVER TO THE ATTRITION POLICY FOR A VACANT ACCOUNTING TECHNICIAN POSITION:** Chairman Fransway commented on the need to fill this position for the good of the organization. Administrator Deist noted that there are currently two

positions vacant in this department but the request at this time is to only fill one position. The following motion was made by Commissioner Cassinelli and passed unanimously:

*To grant the waiver to the attrition policy to get one of the accounting technician positions filled.*

**ADJOURNMENT:** Chairman Fransway adjourned the meeting at 11:49 a.m.

ATTESTED: Janice Speo  
Clerk

APPROVED: [Signature]  
Chairman

UNOFFICIAL

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**MEMORANDUM**

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**TO: COMMISSIONERS**  
**FROM: ADMINISTRATOR**  
**DATE: July 14, 2009**  
**SUBJECT: CONSENT AGENDA**

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**ACTION:** Approval of the consent agenda is requested pursuant to the following staff recommendations:

1. Request for adjustment to the Humboldt County Tax Roll: Attached are requests 09-10-301, 09-10-02 and 09-10-08 for your review.

Recommendation: That the request be approved as recommended by the Assessor and Treasurer.

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**MEMORANDUM**


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**TO: COUNTY COMMISSIONERS**

**FROM: COUNTY ADMINISTRATOR**

**DATE: July 14, 2009**

**SUBJECT: OTHER INFORMATION AND UPCOMING MEETINGS**

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**OTHER INFORMATION:**

1. Meeting/Training with the Hospital Board: Recently I received a phone call informing me that on July 28, 2009 the Executive Director of the Ethics Commission would be in town to provide training related to the Ethics issues they are in charge of reviewing. They wanted to extend an invitation to you to also attend this meeting. Once I find out a location and time I will let you know. I also need to know how many of you plan to attend so I can prepare a special meeting notice if necessary.
2. NACO Annual Meeting: Recently you should have received notice of the Annual Meeting to be held September 14-16, 2009 at Lake Tahoe. If you plan on attending please let us know so we can get your registration taken care of prior to the deadline of August 14, 2009.

**UPCOMING MEETINGS:**

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|-------------------|-----------------------------------|
| 1. July 20, 2009  | Landfill Committee                |
| 2. July 21, 2009  | HCEA Mediation                    |
| 3. July 23, 2009  | Administrator out of the office   |
| 4. July 23, 2009  | FERC Hearing on the Ruby Pipeline |
| 5. July 24, 2009  | ARRA funding teleconference       |
| 6. July 27, 2009  | Administrator Annual Leave        |
| 7. July 29, 2009  | Newmont Breakfast                 |
| 8. August 3, 2009 | Commission                        |