

Monday, June 28, 2010

The regular meeting of the Humboldt County Board of Commissioners was called to order on Monday, June 28, 2010, at 9:00 a.m. in the regular place of meeting at the Courthouse, Winnemucca, Nevada. Those present were Chairman Chuck Giordano, Commissioners Garley Amos Jr., Dan Cassinelli, Tom Fransway and Mike Bell, Deputy District Attorney Angie Elquist, Administrator Bill Deist and Clerk of the Board Tami Rae Spero.

**DISCUSSION & ACTION ON CORRECTION/APPROVAL OF MINUTES - JUNE 14, 2010:** The following motion was made by Commissioner Amos and passed unanimously:

*To approve the minutes of June 14, 2010.*

**PUBLIC COMMENTS:** Chairman Giordano 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. Approval of Chairman's Signature on an Interlocal Contract between NDOW and Humboldt County for the Shooting Park: A copy of the proposed contract was provided to the Board for review.

*Recommendation: That the Commission authorize the Chair to sign the contract.*

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

*To approve the Chairman's signature on an interlocal contract between NDOW and Humboldt County for the shooting park.*

**SOLID WASTE MATTERS:** Administrator Deist stated that he had nothing on this item.

**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.

**MISCELLANEOUS REPORTS AND CORRESPONDENCE:**

**OTHER INFORMATION AND UPCOMING MEETINGS:** Administrator Deist noted that Rich Brown's letter of resignation from the Regional Planning Commission had been provided for review by the Board. Additionally Administrator Deist stated that the executive summary and a disk regarding the Winnemucca District Office Draft Resource Management Plan and Environmental Impact Statement had been recently received, that he would be reviewing it and requesting that the BLM come before the Board with a presentation prior to the deadline for comment. Upcoming meetings and dates of importance were reviewed.

**REPORTS FROM COMMISSIONERS REGARDING OTHER BOARDS AND COMMITTEES**

06/28/2010

Page 1

**THEY SERVE ON:** Chairman Giordano updated the Board on the award of the bid for the Humboldt General Hospital Expansion Project.

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

*To approve the expenditures.*

**REQUEST FROM THE COUNTY CLERK FOR PRE-APPROVED OVERTIME FOR THE INDIGENT COORDINATOR (10) HOURS AND THE COURT CLERK POSITION (20) HOURS**

**FOR THE NEXT SIX MONTHS:** County Clerk Tami Rae Spero appeared before the Board and spoke in support of the request. After discussion the following motion was made by Commissioner Fransway and passed unanimously:

*To grant the request from the County Clerk of pre-approved overtime.*

**JOINT MEETING BETWEEN THE HUMBOLDT COUNTY COMMISSION AND THE**

**WINNEMUCCA CITY COUNCIL:** Present on behalf of the Winnemucca City Council were Mayor Diane Willis-Putnam, Councilmen Joyce Sheen, Rich Stone, Doug Cain, Paige Brooks and Jim Billingsley, City Manager Steve West and City Clerk Eddy Davis.

**REVIEW AND APPROVAL OF COST SHARE AGREEMENT FOR FISCAL YEAR 2010-2011:** A

copy of the City-County Sharing Agreement Fiscal Year 2010-2011 Tentative Budget with worksheet was provided to the Board and Council for review. Comptroller Bruce Brooks and City Manager Steve West appeared before the Board and Council. Comptroller Brooks reviewed the documents provided for the Board and Council including how the amounts are determined and the amounts owed by each entity to the other entity. City Manager West commented on the uniqueness of the agreement and discussed the Capital Improvements Projects which are outside the cost share agreement and billed as actual expenditures including the FAA projects at the airport and a water system connection with Gold Country Estates; he noted the estimated cost for the water system project and stated that the plan was to split the cost with Gold Country Estates 50/50 and asked if the County would be willing to share the City's portion of the project. City Manager West continued discussing a proposed project on Jay's Road at the airport which would use RTC funding and which the Council would be requesting that the County participate in also. Commissioner Fransway inquired about the connection to Gold Country water and the obligation of the City and County as to maintenance after the connection. City Manager West stated there should not be any responsibility for maintenance on Gold Country's portion of the system, there would only be responsibility for maintenance for the City portion of the system; he discussed the use of a valve and meter which will ensure that the water

can only run one direction. After discussion the following motion was made by Commissioner Fransway and passed unanimously:

*To accept the City/County Cost Share Agreement for 2010-11 as presented.*

A motion was offered by Councilman Sheen and was passed by the Council. Mayor Willis-Putnam commented on her appreciation of the joint meetings and the cooperation that the City and County enjoy. Mayor Willis-Putnam adjourned the City Council portion of the meeting at 9:40 a.m.

**COMPTROLLER/AUDITOR'S OFFICE:** Comptroller Bruce Brooks appeared before the Board.

**ADOPT RESOLUTION LEVYING 2010-2011 TAX RATES:** A copy of the proposed resolution was provided to the Board for review. Comptroller Brooks reviewed the process noting that the total rate remains unchanged from the previous fiscal year though there were changes in the Hospital debt rate, the McDermitt Fire District rate and the Pueblo Fire District rate. After discussion the following motion was made by Commissioner Bell and passed unanimously:

*To approve the resolution levying the 2010-2011 tax rates.*

*(Resolution No. 06-28-10)*

**ADOPT RESOLUTION AUGMENTING THE DRUG COURT FUND:** A copy of the proposed resolution was provided to the Board for review. Comptroller Brooks explained that the Drug Court program had received additional monies so those monies needed to be augmented to the Drug Court Fund. The following motion was made by Commissioner Amos and passed unanimously:

*To approve the augmentation for the Drug Court for 2010-11.*

*(Resolution No. 06-28-10a)*

**APPROVAL OF FISCAL YEAR 2009-2010 BUDGET CHANGES/TRANSFERS:** A breakout of the proposed changes/transfers was provided to the Board for review. Comptroller Brooks explained the request and reviewed some of the changes. The following motion was made by Commissioner Bell and passed unanimously:

*To approve the fiscal year 2009 - 2011 budget changes and transfers as presented.*

**APPROVAL FOR ADVANCE TO STAR CITY WATER SYSTEM FOR CDBG GRANT:** A copy of a memo from the County Administrator and a copy of an e-mail from the CDBG program detailing the award were provided to the Board for review. Administrator Deist explained that the Star City Property Owners Association had been awarded a CDBG grant and are set to receive funding from USDA Rural Development to do some updates to their water system and as the association does not have a lot of revenues on their own what is being requested based on the preapproval from CDBG is a draw from the County for \$180,000.00

can only run one direction. After discussion the following motion was made by Commissioner Fransway and passed unanimously:

*To accept the City/County Cost Share Agreement for 2010-11 as presented.*

A motion was offered by Councilman Sheen and was passed by the Council. Mayor Willis-Putnam commented on her appreciation of the joint meetings and the cooperation that the City and County enjoy. Mayor Willis-Putnam adjourned the City Council portion of the meeting at 9:40 a.m.

**COMPTROLLER/AUDITOR'S OFFICE:** Comptroller Bruce Brooks appeared before the Board.

**ADOPT RESOLUTION LEVYING 2010-2011 TAX RATES:** A copy of the proposed resolution was provided to the Board for review. Comptroller Brooks reviewed the process noting that the total rate remains unchanged from the previous fiscal year though there were changes in the Hospital debt rate, the McDermitt Fire District rate and the Pueblo Fire District rate. After discussion the following motion was made by Commissioner Bell and passed unanimously:

*To approve the resolution levying the 2010-2011 tax rates.*

*(Resolution No. 06-28-10)*

**ADOPT RESOLUTION AUGMENTING THE DRUG COURT FUND:** A copy of the proposed resolution was provided to the Board for review. Comptroller Brooks explained that the Drug Court program had received additional monies so those monies needed to be augmented to the Drug Court Fund. The following motion was made by Commissioner Amos and passed unanimously:

*To approve the augmentation for the Drug Court for 2010-11.*

*(Resolution No. 06-28-10a)*

**APPROVAL OF FISCAL YEAR 2009-2010 BUDGET CHANGES/TRANSFERS:** A breakout of the proposed changes/transfers was provided to the Board for review. Comptroller Brooks explained the request and reviewed some of the changes. The following motion was made by Commissioner Bell and passed unanimously:

*To approve the fiscal year 2009 - 2011 budget changes and transfers as presented.*

**APPROVAL FOR ADVANCE TO STAR CITY WATER SYSTEM FOR CDBG GRANT:** A copy of a memo from the County Administrator and a copy of an e-mail from the CDBG program detailing the award were provided to the Board for review. Administrator Deist explained that the Star City Property Owners Association had been awarded a CDBG grant and are set to receive funding from USDA Rural Development to do some updates to their water system and as the association does not have a lot of revenues on their own what is being requested based on the preapproval from CDBG is a draw from the County for \$180,000.00

so the contractor can be paid and then the County will be paid back from the CDBG revenues when they are received. After discussion the following motion was made by Commissioner Fransway and passed unanimously:

*To approve the advance for the CDBG grant for the Star City Water System in the amount of \$180,000.00 as requested.*

**SET TO PUBLIC HEARING AN ORDINANCE AMENDING CHAPTER 12.04 OF THE HUMBOLDT COUNTY CODE REGARDING STREET ADDRESSING AND OTHER RELATED**

**MATTERS:** A copy of the proposed ordinance was provided to the Board for review. Building Department Official Bobby Thomas and Karen Johnson of the Building Department appeared before the Board. Director Thomas discussed the need for assigned addresses and how the process would be handled. After discussion the following motion was made by Commissioner Fransway and passed unanimously:

*That the Commission set for public hearing an ordinance amending Chapter 12.04 relative to street addressing.*

**CONSIDERATION OF PLACING ON THE NOVEMBER GENERAL ELECTION BALLOT AN ADVISORY QUESTION REGARDING LOCAL REVENUES AS PROPOSED BY NACO:**

A copy of an e-mail from Jeff Fontaine, Executive Director of the Nevada Association of Counties (NACO) regarding a request from the NACO Executive Committee that the Board of County Commissioners from each County consider adopting a resolution to place a Local Revenue Ballot Advisory Question regarding sending a message that the voters want the Legislature to consult with local governments before taking their revenues and reserves which are used to fund the provision of local services on the General Election ballot was provided to the Board along with copies of the proposed question with arguments. Administrator Deist reviewed the e-mail from Director Fontaine. After speaking in support of the item, Commissioner Fransway offered the following motion which passed unanimously:

*That the Commission directs the County Clerk to place the question on the November General Election ballot to have any unfunded mandates, revenue sweeps or adjustments or fee increases imposed by the State that they be with the consent of the local government involved.*

**PLANNING MATTERS:** Betty Lawrence, Senior Planning Technician for the Planning Department, appeared before the Board.

**PUBLIC HEARING ON RH-10-03 - A zone change request submitted by Desert Mountain Surveying as agent for Maximiliano and Maria Herrera to rezone property from RR-13MH (Rural Ranchette**

**District 13,000 square foot minimum lot size with Mobile Home Combining District overlay) to R-1-6 MH (Single-Family Residential District 6,000 square foot minimum size with Mobile Home Combining District overlay). Property is located at Walther Lane and Turner Lane, APN 10-364-03 and 10-364-04:** A copy of the Notice of Public Hearing, a copy of the Application for Re-zone with maps and a copy of the Planning Department Status Report recommending approval were provided to the Board for review. John H. Milton III of Desert Mountain Surveying appeared on behalf of the applicants. Chairman Giordano read the title of the item set to public hearing. Mrs. Lawrence reviewed the application and recommended approval. Chairman Giordano asked for public comment; none offered. The following motion was made by Commissioner Cassinelli and passed unanimously:

*To approve RH 10-03 zone change.*

*(Ordinance No. 06-28-10)*

**PUBLIC HEARING ON RH-10-05 - A zone change request submitted by Jeremiah Day to rezone property from M - 1 TPZ (Industrial with an Airport Hazard Combining District - Traffic pattern Zone overlay) to NC-R TPZ (Neighborhood Commercial/Rural District with an Airport Hazard Combining District - Traffic Pattern Zone overlay). Property is located at 6985 Rose Creek Road, APN #13-251-21 (a reversion to acreage was recorded 5/10/10):** A copy of the Notice of Public Hearing, a copy of the Application for Re-zone with maps and a copy of the Planning Department Status Report recommending approval were provided to the Board for review. Applicant Jeremiah Day was present. Chairman Giordano read the title of the item set to public hearing. Mrs. Lawrence reviewed the application and recommended approval. Discussion occurred regarding access and the need to receive approval from NDOT. Chairman Giordano asked for public comment; none offered. The following motion was made by Commissioner Amos and passed unanimously:

*To approve the zone change request on RH-10-05.*

*(Ordinance No. 06-28-10a)*

Discussion occurred regarding the access on the zone change for RH-10-03 on Walther Lane and Turner Lane.

*(Deputy District Attorney Elquist left the meeting at 11:00 a.m. - no legal counsel present)*

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

**REPORT OF PENDING ROAD DEPARTMENT PROJECTS:** Superintendent Garrett updated the Board on grading, the treatment of Jungo Road, Herschell Road and Cyanco Road with a dust palliative, the status of the bid process related to the Jungo Road Project and the Nevada Department of Transportation's report

on bridge inspections in relation to the Eden Valley Bridge. Discussion ensued regarding the Jungo Road Project.

**MISCELLANEOUS ROAD RELATED MATTERS:** Discussion occurred regarding Sand Pass Road and the culverts at the shooting range.

**ADOPTION OF RESOLUTION HONORING DEE LARIOS FOR SERVICE AS HUMBOLDT COUNTY SENIOR CENTER DIRECTOR:** A copy of the proposed resolution was provided to the Board for review. Commissioner Amos read the resolution as proposed. Commissioner Fransway suggested that the following language be added to the resolution "*Further be it resolved, that a copy of this resolution be presented to Virgil Larios, Dee's husband of fifty years, as our appreciation of his sharing Dee's valuable time and efforts to the citizens of Humboldt County.*" The Board concurred. The following motion was made by Commissioner Fransway and passed unanimously:

*That the Commission adopts the resolution honoring Dee Larios for her valuable service to the Senior Citizens as written with the addition.*

*(Resolution No. 06-28-10b)*

*(Deputy District Attorney Elquist returned to the meeting at 11:24 a.m.)*

**REVIEW AND POSSIBLE ADOPTION OF HUMBOLDT COUNTY TRAVEL POLICY:** A copy of a memo from the County Administrator and a copy of the proposed policy were provided to the Board for review. Administrator Deist noted that the policy had been presented to the Management Team for their input, that the final bullet was suggested by the Extension Educator as his position is somewhat different from the rest of the Department Heads/employees with the County as he is employed by UNR; he discussed some of the items discussed at the Management Team meeting related to the requirements of the policy. Discussion occurred regarding when the Department Heads/employees would be required to report to the Commission and whether the reports would be in written form or verbal presentations. After discussion the following motion was made by Commissioner Bell and passed unanimously:

*To adopt the Humboldt County Travel policy as outlined here today.*

Chairman Giordano recessed the meeting for lunch at 11:36 a.m. to reconvene at 1:30 p.m.

**REVIEW AND DISCUSSION OF A LETTER FROM DAVID SELESNICK, OWNER, HI DESERT RV REGARDING COMPETITION FROM THE WINNEMUCCA EVENTS COMPLEX RV PARK:**

A copy of Mr. Selesnick's letter of complaint included with correspondence from the WCVA and a response from Kim Petersen Director of the Winnemucca Convention and Visitor's Authority were provided to the Board for review. David Selesnick appeared before the Board. Mr. Selesnick addressed the Board regarding