

Monday, August 16, 2010

The regular meeting of the Humboldt County Board of Commissioners was called to order on Monday, August 16, 2010, at 10:00 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 - AUGUST 2, 2010**

**REGULAR MEETING AND AUGUST 9, 2010 SPECIAL MEETING:** The following motion was made by Commissioner Amos and passed unanimously:

*To approve the August 2, 2010 meeting minutes.*

Commissioner Bell stated that he would be abstaining from discussion and action on the August 9, 2010 meeting minutes as he had not attended the meeting. The following motion was made by Commissioner Cassinelli and passed with Chairman Giordano and Commissioners Cassinelli, Fransway and Amos voting aye and Commissioner Bell abstaining:

*To approve the August 9<sup>th</sup> special meeting minutes as written.*

**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 the Grant and Cooperative Agreement with the BLM for Rural Fire Assistance: A copy of the agreement which would provide the Rural Fire Districts with some additional revenue was provided to the Board for review. *Recommendation: That the Commission authorize the Chair to sign the agreement.*
2. Approval of Requests for Adjustments to the Humboldt County Real Property Tax Roll: A copy of request 10-11-16 was provided for the Board's review. *Recommendation: That the Commission approve the adjustment as recommended by the Assessor and Treasurer.*
3. Appointment of Jeff Dawson to LEPC as the School Representative: A call had been received from the School Superintendent requesting the Board to make this appointment. *Recommendation: That the Commission appoint Jeff Dawson to LEPC as the School Representative.*
4. Approval of Chairman's signature on the Environmental Review: Finding of Exemption Related to the CDBG Grant for the Scenario/Strategic Planning: It was noted that this is a requirement of the

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Grant and the documents requiring signature were provided for the Board's review.  
*Recommendation: That the Commission approve the Chairman's signature on the documents.*

5. Acknowledgment of the County Clerk's Quarterly Report: A copy of the 2010 Second Quarter Report was provided to the Board for review. *Recommendation: That the Commission acknowledge receipt of the report.*

Commissioner Fransway asked for an update on the Humboldt RX Program. Clerk Spero stated she would provide the update to the Board. The following motion was made by Commissioner Bell and passed unanimously:

*To approve the Consent Agenda as presented by staff.*

**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 reminded the Board about the upcoming Nevada Association of Counties conference and discussed a letter which was received by the Treasurer regarding the agreement which had been previously approved by the Commission regarding the Geothermal steam which stated that the County did not need to make any repayment for this year. Upcoming meetings and dates of importance were noted.

**REPORTS FROM COMMISSIONERS REGARDING OTHER BOARDS AND COMMITTEES THEY SERVE ON:** Chairman Giordano reported on the meeting he had attended in Salt Lake City regarding the Ruby Pipeline Project and the issue with the agreement between El Paso Pipeline Group and the Western Watershed Project.

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

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

**REPORT FROM COMMISSIONER FRANSWAY REGARDING THE RECENT NATIONAL ASSOCIATION OF COUNTIES (NACo) MEETING HELD IN RENO:** Commissioner Fransway reported on meetings he had attended for the WIR and the NACo Public Lands Steering Committee and resolutions which the Committee had adopted.

**REQUEST FROM THE STAR CITY PROPERTY OWNERS ASSOCIATION FOR A WAIVER TO**

**BUILDING PERMIT FEES FOR THEIR NEW WATER SYSTEM PROJECT:** A copy of a memo from Karen Johnson, Humboldt County Building Department Permit Technician detailing the building permit fees for the project totaling \$1,861.76 and a letter requesting a waiver for the fees from the Star City Property Owners Association were provided to the Board for review. Tommy Swanger Chairman of the Property Owners Association appeared before the Board and spoke in support of the request. Administrator Deist stated that most of the fees are associated with the tank that will be installed and that if this project were being done by a General Improvement District the fees would be waived per ordinance but because this is a Property Owners Association the waiver must be approved by the Commission. Discussion occurred regarding the project. After discussion the following motion was made by Commissioner Fransway and passed unanimously:

*To approve the waiver of the building permit fees for the Star City Water System Project.*

Chairman Giordano asked that this issue with property owners associations be addressed so the Commission will know how to handle the matter if it occurs in again in the future.

**REQUEST FROM PAUL BOTTARI FOR ADOPTION OF A RESOLUTION DEMANDING THAT THE PROCESS THAT NOW EXISTS FOR LAND EXCHANGES BE GIVEN PRIORITY IN THE CHECKERBOARD (MIXTURE OF PUBLIC AND PRIVATE LANDS):** Provided to the Board was an

e-mail from Paul Bottari, Chairman of the Elko County Association of Realtors Public Policy Committee detailing his request (see attached), a copy of a draft letter addressed to the Director of the Department of the Interior and a copy of a Resolution regarding the Consolidation of Checkerboard Lands in the Western States adopted by the Elko County Economic Diversification Authority (ECEDA). Mr. Bottari spoke in support of his request and explained the issues with the checkerboard pattern. Commissioner Fransway asked if the resolution provided had also been adopted by the Elko County Commission. Mr. Bottari stated no and explained why. Commissioner Fransway suggested that the Commission would need to hear from the BLM on this matter before considering taking any action and discussed the BLM's current process for designating land for exchange or acquisition. Mr. Bottari responded discussing that a quicker method needs to be developed and issues with PILT (Payment in Lieu of Taxes) not being sufficient. Chairman Giordano agreed that the BLM would need to be involved. Commissioner Cassinelli concurred. Chairman Giordano asked that the matter be placed on the next agenda and that the BLM be requested to send a representative to discuss the issue.

**PRESENTATION BY TINA MUDD, NEVADA DEPARTMENT OF AGRICULTURE, REGARDING COOPERATIVE WEED MANAGEMENT AREAS AND THE WEED SEED FREE FORAGE**

**PROGRAM:** Tina K. Mudd ARRA Projects Coordinator for Weed Free Forage with the State of Nevada Department of Agriculture appeared before the Board. Ms. Mudd provided the Board with handouts regarding noxious weeds and Nevada's Weed-free Forage Certification Program. Ms. Mudd presented a Power Point Presentation regarding noxious weeds, the Nevada Weed-free Forage Program and Cooperative Weed Management areas including education, outreach, enforcement, coverage and the need to consider noxious weed issues in development decisions. Discussion occurred regarding enforcement policies, funding, educational outreach and actions being taken in the Paradise Valley area.

**AUTHORIZATION TO PURCHASE THE PROFESSIONAL BUILDING LOCATED AT 33 WEST FOURTH STREET, WINNEMUCCA, NEVADA:** Assessor Jeff Johnson appeared before the Board. Administrator Deist stated that an appraisal had been received on the Professional Building for the amount of \$140,000.00 and the owner has agreed to sell at the appraised price. Assessor Johnson offered his agreement with the appraisal amount. Discussion occurred regarding the continued use of the building as a rental. Commissioner Fransway asked if Building & Grounds Director Doug Cain had looked at the building and whether he had any concerns. Director Cain stated that he had not looked at the building. Discussion occurred regarding the age of the building, the use of the rental income to offset the cost of repairs, the need to purchase the building so any future growth by the County is not land locked and the ability to sell it in the future if needed. The Board concurred with the purchase. The following motion was made by Commissioner Amos and passed unanimously:

*To authorize the purchase of the professional building located at 33 West Fourth Street Winnemucca Nevada.*

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

**AWARD OF QUOTE ON GRADERS:** A copy of a memo from the Road Superintendent detailing the information for the motor grader purchase (see attached) and copies of quotes from Pape Machinery and Cashman Equipment were provided to the Board for review. Upon a questions from Chairman Giordano Superintendent Garrett recommended that the choice be the CAT graders due to the cost and the local servicing ability. After discussion the following motion was made by Commissioner Fransway and passed unanimously:

*To accept the bid from NJPA with options for \$249,202.00 a piece and a five year buy back.*

**DISCUSSION OF FENCING ON SHELTON LANE ALONG PROPERTY OWNED BY FRED**

**MILLER:** A copy of the County's proposal for building a fence within the County right-of-way along the north side of Shelton Lane with a map was provided to the Board for review (see attached). Superintendent

Garrett stated that he and Commissioner Cassinelli had met with Paul & Stacy Miller to discuss the situation; he reviewed the plan which included a cattle guard at either end of the fence line and noted that Paul & Stacy had some reservations and wanted the abandonment of the road (Miller Loop) reversed and voiced concerns with truck access on the west access road. Superintendent Garrett stated that is not a problem and could be made to happen with a cattle guard, that it is more of a concern on the other end but it still can be made to fit, it will just be a tighter turn. Superintendent Garrett continued stating that they had also met with Deputy District Attorney Elquist and Administrator Deist regarding the abandonment of Miller Loop and had also met with Fred and Gay Lynn Miller on site to discuss the proposal. Superintendent Garrett stated that during a meeting in his office Mr. Miller had seemed agreeable to giving up a portion of land 1/10 acre +/- on the east end to gain a little more property along the right of way. Deputy District Attorney Elquist stated that she did not see any legal issues with the abandonment and she felt it was legally valid and so if any evidence comes forward they can contact her if they have anything that shows it wasn't. Discussion occurred regarding the location of items on the map. Commissioner Cassinelli asked if the proposal provides that Gay Lynn and Fred do the other end. Superintendent Garrett stated correct but noted that it was drawn in on the map by hand so it could be off a bit one way or another. Discussion occurred regarding access on the east end for trucks. Commissioner Bell asked if this would solve all the problems, even on the section that goes south. Commissioner Cassinelli said it would solve it for Humboldt County but that he did not contact Paul Miller and noted that Paul was not in attendance at this meeting; he continued noting that Paul still does not agree with the abandonment and that he had suggested that the County fence the entire piece of property; Commissioner Cassinelli stated he did not think that would work for the County. Administrator Deist suggested that the proposal before the Commission meets the County needs as the County's purpose is to make sure cattle are not getting on Shelton Lane. Chairman Giordano stated this proposal meets the objective of the safety factor and if there is an issue in the future on the abandonment that would be dealt with in the future. Administrator Deist suggested that if the Millers believe there is a legal issue they contact the County's legal counsel. Discussion occurred regarding the location and reason for the gates. Commissioner Amos commented on this being the sensible solution. Chairman Giordano asked Fred Miller if everything was ok? Mr. Miller replied in the affirmative from the audience. The following motion was made by Commissioner Amos:

*To approve the fence for Shelton and authorize the County to start proceeding with building it.*

Superintendent Garrett stated that first the County would need to do an abandonment on the County's

section of right-of-way and do two property line adjustments before the fence can be built. Discussion occurred regarding who would build the fence. Chairman Giordano called the motion to a vote and it passed unanimously.

**REPORT OF PENDING ROAD DEPARTMENT PROJECTS:** Superintendent Garrett reported on road grading, Ruby Pipeline's road maintenance involving Eden Valley Road and Dutch Flat Road, dust control on Children's Way and Herschell Road and the status of the Jungo Road Project.

**MISCELLANEOUS ROAD RELATED MATTERS:** Commissioner Amos commented on the condition of Prairie Dog. Superintendent Garrett stated it had been worked on this past Thursday but only the real bad spots are being worked on at this time due to the temperatures. Commissioner Amos also commented on some rough roads in the Paradise Valley area. Chairman Giordano asked about Daveytown heading north to SR 140. Superintendent Garrett stated that he had spoken to Mr. Brinkerhoff about it but that he had concerns about causing more damage if the road is bladed at this time due to the temperatures and the need to haul water so the plan is to hold off until the first of September when it is cooler. Commissioner Cassinelli commented on a resident from Herschell Road who felt it was rougher since the work was done on it. Superintendent Garrett commented on the product and application used on the road and discussed the possibility of chip sealing the road next year; he said it could be graded again but it would reduce the properties of the product for dust control purposes.

Chairman Giordano recessed the meeting for lunch at 12:04 p.m.

The meeting reconvened at 1:30 p.m.

**PRESENTATION ON THE BLM DRAFT RESOURCE MANAGEMENT PLAN AND ENVIRONMENTAL IMPACT STATEMENT:** A copy of the United States Department of Interior Bureau of Land Management Winnemucca District Draft Resource Management Plan and Draft Environmental Impact Statement July 2010 was provided to the Board for review. Bob Edwards, Resource Management Plan Team Leader for the Winnemucca District appeared before the Board. Mr. Edwards presented a Power Point Presentation on the Draft Resource Management Plan (RMP) and Environmental Impact Statement (EIS). Mr. Edwards discussed why the RMP/EIS had been developed, the process for developing, the key issues identified during the scoping process, the development of the different alternatives including the preferred "D" alternative, the key issues resolved through the alternatives, the steps left before the final RMP and how the County stays involved with the RMP process. Discussion occurred regarding grazing issues, recreational issues and sustainable development. Commissioner Amos commented that it would behoove the Commission to sit down and figure out which alternative the Commission would like to support and to

provide a letter detailing that support; he suggested that the matter be put on a future agenda for that discussion. Administrator Deist proposed that he and Brad Shultz the Extension Educator, as they had both sat on the RAC working group, put together something and bring it back before the Commission prior to the 25<sup>th</sup> for the Board's review and possible approval. Commissioner Fransway commented that the key issues identified on page 7 of the report did not include renewable energy; he discussed the importance of renewal energy in Humboldt County. Mr. Edwards explained that the issues included were identified by other people in 2005 and that there is a specific section in the report regarding renewable energy which is networked with the lands and minerals sections. Commissioner Fransway asked that it be added as a bullet in the key issues to make a statement and show how important the issue is.

**CONTINUED DISCUSSION OF ISSUES RELATED TO HI DESERT RV PARK AND THE WEC**

**RV PARK:** Provided to the Board for review was a photo of signage at the Events Complex and a copy of a letter (see attached) from Kim D. Petersen, Director of Ag District No. 3 and the Convention and Visitors Authority responding to Mr. Selesnick's issues. Kim Petersen, O Keat Maher, Ag District No. 3 Chairman and David Selesnick owner of Hi Desert RV Park appeared before the Board.

**REQUEST FROM HI DESERT RV PARK FOR DONATION OF PORTABLE "BILL BOARDS"**

**CURRENTLY OWNED BY THE WINNEMUCCA EVENTS COMPLEX:** Director Peterson responded to Mr. Selesnick's request to use one of the WCVA's portable billboards to advertise his business noting that the billboards are pieces of equipment owned by the WCVA that are maintained and used by the WCVA to promote events around town and which are important to the success of the events and that the WCVA would hate to lose one. Mr. Selesnick responded commenting that only one of the portable billboards has been used up until this point but they were both used for the rodeo and the drags; he provided copies of photos to the Commission to show the condition of the billboards immediately following the June 28<sup>th</sup> Commission meeting; he commented on his belief that this was an attempt by the WCVA to discredit him and validate their contention that the billboards are used all the time which they aren't; he continued stating that the WCVA has not made any attempt to help Hi Desert RV with advertising as stated by the WCVA Director in the June 28<sup>th</sup> meeting and spoke in support of allowing Hi Desert to use the portable billboard to advertise and asked the County Commission to donate one billboard to Hi Desert. Commissioner Bell questioned if the County donated usage to one business would they have to do it for everybody and stated that while he saw what Mr. Selesnick was saying he did not understand why the County needed to advertise for all the businesses. Commissioner Cassinelli commented on the actions of the WCVA in donating to businesses and the usage of the portable billboards. Director Peterson discussed the storage and maintenance of the

billboards and agreed that the WCVA cannot advertise for all the businesses and if they started it would be necessary to offer the service to all. Commissioner Bell concurred. Chairman Giordano clarified that the billboards are used for promoting events not for advertising private businesses. Director Petersen agreed. Commissioner Amos agreed that the billboards are County property and should not be loaned to private enterprise. Commissioner Fransway explained the County's system for disposal of identified surplus property via auction and noted that these items have not been identified as surplus as they are used to promote. The Chairman stated that the consensus of the Board is that the billboards are County property, used for County purposes only and none of them are surplus.

**USE OF THE WEC RV PARK BY SPECTATORS DURING EVENTS:** Director Petersen referred to the information contained in the letter submitted to the Board and stated that the position of the Ag District No. 3 Board was to keep the current operation status quo. Ag District 3 Chairman Maher agreed stating that the letter spells it out and the position has not changed since the RV hookups were installed and the basis for the installation was for use by the participants as well as those with the participants including spectators and vendors. Mr. Selesnick was provided a copy of the letter which had been provided to the Commission by Director Petersen and reviewed said letter in meeting. Mr. Selesnick responded to the letter stating that there was no proof that it would be detrimental to the ability to draw events to the area and the current operation to not have the RV park and suggested the RV park be shut down for a year to prove it rather than taking the WCVA's or the Ag District 3's word for it. Commissioner Fransway responded that when the hookups were approved it was because it was criteria for certain events to have those type of facilities in order to consider coming to Humboldt County; he continued noting that when the Commission authorized the hookups it was a major concern of the Board that it not compete with private enterprise and as long as the participants could stay there and meet the criteria then the board felt that spectators could utilize the RV parks in town; he noted that the RV parks in town were very involved in the discussion back then and commented that while times are good right now for the RV parks that may not continue so in the future if the RV hookups at the complex allow spectators the people involved with the parks could be in here complaining; he stated that he feels spectator usage should be minimized at the complex hookups, that he has no problem with the participants but he does have a problem with spectators. Chairman Giordano agreed stating he remembered the discussions and he was against public competing with private but he questioned the definition of a spectator. Commissioner Fransway agreed that it is a fine line but noted that the signs should not welcome spectators. Chairman Maher noted the signs refer to participating or attending. Commissioner Fransway stated the signs should not say "attending" only participating. Mr. Selesnick offered



suggested language for the sign posted at the complex. Discussion occurred regarding the suggested language. Commissioner Fransway stated that attendees needs to be removed. Commissioners Cassinelli and Bell agreed. Discussion occurred regarding that the RV parks do not want the living quarter/horse trailers and the number of those vehicles involved in events, the number and types of hookups at the complex, what happens with the other trailers once the hookups are full, the types of events at the complex with camping involved and the amount earned annually by the hookups. Mr. Selesnick commented on a proposal to bring the Silver State Rodeo to Winnemucca which would require an additional 230 RV spaces to be slotted out at the Events Center and asked if it was the goal of the Commission to dwarf all the RV parks in town and noted there is no guarantee that the spaces won't be rented on a monthly basis. Commissioner Amos questioned if the parks would be able to handle the number required for the event and noted that it is part of the agreement to bring the event here and that they will be portable setups which will be removed once the event is over. Mr. Selesnick stated that was what he wanted to confirm that the hookups are temporary and would be reduced back to fifty after the event is done. Commissioner Amos agreed. Discussion occurred that the additional spaces would be temporary. Mr. Selesnick continued noting that there are two things people involved want with these types of events to stay close to the event and to have transportation back and forth; he continued stating that transportation was provided to his competitor but not to him for the Good Sam event as the WCVA is allowing the group to use the County owned shuttle to go to a competitor's park but not his. Director Petersen explained that the Good Sam group needed some way to get people back and forth from the County's campground to the exhibit hall noting that the County's spaces filled up with handicapped people. Mr. Selesnick questioned if Winnemucca RV was included. Director Petersen stated his understanding was from the County's campground to the exhibit hall; that the WCVA did not drive the vehicle the keys were given to Good Sam people who provided a driver, that it did not leave the grounds. Discussion occurred regarding allowing a non-county person to operate the vehicle. Chairman Giordano stated that since another Good Sam event is planned it needed to be addressed that if the shuttle is going to be used to the advantage of one RV park it needs to be used for all RV parks. Director Petersen noted that the difference is that there is a gate on County property that goes into the Winnemucca RV park. Mr. Selesnick stated that is another disadvantage to his business and is a government entity in business with private enterprise. Chairman Giordano stated if the County is going to provide the service to outside the government then everybody needs to be covered and that needs to be discussed and figured out. Director Petersen stated they would just have to discontinue the shuttle service as it never leaves County property. Discussion occurred regarding where the shuttle goes and whether it leaves County property. Mr.

Selesnick suggested that as the County has purchased the other property behind his trailer park that the County could do the same thing if a road is run to his trailer park. Chairman Giordano stated that might be an idea but then the Model T would be put at a disadvantage. Discussion occurred regarding that other entities such as motels and hotels would be at a disadvantage, how to handle the shuttle service including hiring a driver, Hi Desert RV park donating to cost of running the shuttle, other shuttle services that may be available in the area to cover the service and using the shuttle only on the grounds but not to the gate to Winnemucca RV park. Mr. Selesnick stated that he would like to work with the WCVA and the County Commissioners to bringing a resolution to this matter; he discussed services Hi Desert RV Park would offer to participants staying on County grounds if they had other parties staying at his park but discussed how difficult it is to come to an amicable solution when he cannot get anyone to work with him. Discussion occurred regarding the use of flyers, signage and that the shuttle is not used on public streets. Commissioner Amos offered a motion to adjourn; Chairman Giordano rejected the motion stating there were other matters that still needed to be taken care of. Administrator Deist stated that what had been discussed is that Ag 3 is willing to take "attendees" off the sign, that the Commission has asked that if there is shuttle service that it is available to all RV Parks including the Model T and Director Petersen has said he will look into what they may or may not be able to do in relation to that. Commissioner Fransway asked that Administrator Deist contact POOL/PACT to check on issues with liability with the insurance. Commissioner Bell agreed regarding the sign. Director Petersen stated they would fix the sign. Commissioner Bell continued that whatever is done with the shuttle must be equitable to everybody including the Model T. Chairman Giordano commented that it would not necessarily have to be a County shuttle, perhaps the businesses around town would like to be involved; he also suggested that Mr. Selesnick come up with a suggestion list based on what he has heard today and his additional ideas and provide it to Ag 3 to look through and see if there is something they can work with Mr. Selesnick on. Based on the discussion the following motion was made by Commissioner Bell:

*That we change the sign and that the Commission directs the WCVA that the shuttle service be fair and equitable for everybody.*

Ag 3 Chairman Maher noted that the WCVA is its own Board so he did not know if the Commission could direct them. Commissioner Bell offered the following amended motion and it passed unanimously:

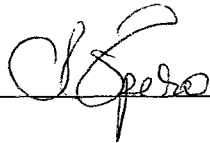
*That we change the sign and that the Commission suggests that the WCVA make an equitable solution to the shuttle and also that Mr. Deist checks the liability with the POOL/PACT.*

Mr. Selesnick asked Commissioner Fransway about comments made at the June 28<sup>th</sup> meeting regarding his knowledge that the facility was designed as an overflow facility. Commissioner Fransway stated that he did not remember using the word "overflow". Mr. Selesnick asked if there were minutes available from that meeting. Clerk Spero noted that minutes were available but that they are not transcripts but that a CD of the meeting was available for \$1.00 in her office. Administrator Deist stated that at the Commission's next meeting there would be a joint meeting with the WCVA to discuss marketing to such events as the Silver State Rodeo and how that might occur. Rodd William Stowell commented from the audience regarding the size of an event and the ability to get insurance and a driver for a shuttle and the ability and need for other businesses to be involved.

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

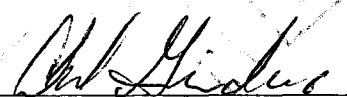
**ADJOURNMENT:** Chairman Giordano adjourned the meeting at 2:54 p.m.

ATTESTED:



Clerk

APPROVED:



Chairman

## MEMORANDUM

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TO: COMMISSIONERS  
 FROM: ADMINISTRATOR  
 DATE: August 10, 2010  
 SUBJECT: CONSENT AGENDA

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

1. Approval of Chairman's signature on the Grant and Cooperative Agreement with the BLM for Rural Fire Assistance: Attached is the agreement which will provide the Rural Fire Districts with some additional revenue.

Recommendation: That the Commission authorizes the Chair to sign the agreement.

2. Approval of Requests for adjustments to the Humboldt County Real Property Tax Roll: Attached is request 10-11-16 for your review.

Recommendation: That the Commission approve the adjustment as recommended by the Assessor and Treasurer.

3. Appointment of Jeff Dawson to LEPC as the School Representative: We received a phone call from the School Superintendent asking that you make this appointment.

Recommendation: That the Commission appoint Jeff Dawson to LEPC as the School Representative.

4. Approval of Chairman's signature on the Environmental Review: Finding of Exemption related to the CDBG grant for the Scenario/Strategic Planning: This is a requirement of the grant. Attached are the documents which need to be signed.

Recommendation: That the Commission approve the Chairman's signature on the documents.

5. Acknowledgment of the Clerk's Quarterly report: The report is attached for your

review.

Recommendation: That the Commission acknowledges receipt of the report.

UNOFFICIAL

**MEMORANDUM**

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**TO:** COUNTY COMMISSIONERS  
**FROM:** COUNTY ADMINISTRATOR  
**DATE:** August 10, 2010  
**SUBJECT:** OTHER INFORMATION AND UPCOMING MEETINGS

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**OTHER INFORMATION:**

1. NACO Annual Meeting: This year's conference will November 17<sup>th</sup> thru 19<sup>th</sup>, 2010. It will be held in Reno at the Atlantis Hotel. Registration dead line is October 15<sup>th</sup> so if you plan on going we need to know so we can get this taken care of for you.

**UPCOMING MEETINGS:**

1. September 6, 2010 County Holiday
2. September 7, 2010 Commission

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Bill:

All the counties with the Checkerboard land pattern are being asked to support a resolution demanding that the process that now exists for land exchanges be given priority in the Checkerboard areas and the Federal Government also set up to the plate and help pay to complete land exchanges that consolidate private and public lands in the Checkerboard area. Elko County has given support and Lander County will have a resolution on their next commission agenda as an action item. We're heading down the Humboldt River towards Reno. I'm attaching a draft letter I prepared prior to a National Assn. of Realtor's Private Property Rights and Environment Committee meeting that explains what we're asking for. Also attached is the Resolution that the Elko Co. Economic Development Authority signed. At this point Nevada has 11.5% of our total lands in Private ownership and over 62% of those private lands are in the checkerboard area where the Federal Government still is in control due to the costs to try to exchange lands and the costs to develop in the Checkerboard area. In my market area I get requests from businesses each year, other than agriculture, that are looking for blocks of Private land over and above the 640 acre parcels we have available. If it were more practical to block up private lands you would see more development in our counties and you'd see the tax base increase. Ranchers could actually control their own private lands once blocked up and fenced. The public wouldn't be restricted from crossing private lands to get to public lands as we would make sure easements were included and because public lands would also be blocked up. We are not asking for Public lands to be sold we're just asking that the Interior Department (supported by Congress) make it truly a priority to block up the checkerboard lands and to help fund it. We want the current process to be the process to follow which provides an opportunity for the public to make input. We don't want a Lands bill as it could be defeated due to one portion of the exchange and it's makes the process mandatory and we want it to be voluntary. Once the process is encouraged and the Federal Government pays for their share there will be many applications. The Federal Government created the checkerboard layout as they planned to sell the remaining public sections and knew that the concept of Association would improve the value of their remaining public sections once the sections given to the Railroad were put into private ownership. I would look forward to making a formal presentation that shows how Humboldt County would be benefitted. I had a meeting with the Interior Department in May to see if they could change the current process through regulation. They said they respond to political pressure and that's what were trying to create. Hopefully, Nevada will take the lead and help all the states with Checkerboard lands improve their opportunities to use private and public lands. Thanks, Paul Bottari, Chairman Elko Co. Assn. of Realtors Public Policy Committee.

----- Original Message -----

**From:** Bill Deist**To:** paul@bottarirealty.com**Sent:** Tuesday, July 27, 2010 1:30 PM**Subject:** agenda request

Mr. Bottari

I did not place this on the agenda after discussing it with the Chairman. He asked that I attempt to find out more what is planned or the purpose of this request is as it relates to Humboldt County and what other Counties have been asked to take similar action. Could you please provide me this information and then possibly we can put it on the August 16 agenda.

Thanks

Bill Deist

To: County Commission  
From: Ben Garrett, Roads Superintendent  
Date: August 10, 2010  
Subject: Motor Grader Purchase

The Commission approved the purchase of two replacement motor graders in the 2010-2011 Road Department Budget for \$250,000 each. We received an option to joiner on a motor grader bid awarded in Nevada (Elko County) from Cashman Equipment, NJPA (National Joint Powers Alliance) from Cashman and one awarded in California (Cal-Trans) from Pape Equipment. We can exercise this option per NRS 332.195. The table shows cost break downs for various scenarios.

All new machines have incorporated advances in technology to achieve greater operational efficiencies. The Cat 140 M has improved visibility and joy stick controls to operate all the functions, including steering. The John Deere 772 GP utilizes a Grade Pro EH system (same control pattern as traditional machines), but retained the steering wheel for road travel. The John Deere includes slope control at the quote price, while Caterpillar lists this as an option for the factory ready capability at a cost of \$4,090 + \$8,000 for the machine mounted system. The John Deere has all wheel drive as standard equipment on the JD 772 GP model. All wheel drive on the CAT 140 M is an option at a cost of \$29,209. The warranty on the Caterpillar is 5 years for the full machine. The John Deere warranty is 1 year for the full machine and 5 years for the power train and hydraulics. All other features are similar with minor deviations.

The buy backs are monies the dealer will guarantee at the 3 and 5 year life of the machine. The County is not obligated to exercise this option. Pape's 3 year buy back is 64% of the purchase price and 55% return on a 5 year buyback. Cashman has a 77% buyback option at the 5 year mark. A buyback option is cost effective as the guarantee approaches 75% for a 3 year buyback and 70% for a 5 year buyback.

A search for quality used equipment revealed comparable pricing or higher to the new equipment listed. The Pape price for the John Deere 772 GP, \$248,409, is considerably lower than Cashman's price for the Caterpillar 140 M, \$268,994, or Caterpillar 140 M All Wheel, \$302,293 contracts with Elko County. Cashman's price through the NJPA contract significantly is the lowest with a base price of \$244,498, base price with options \$249,203 and base price with options + All Wheel Drive \$278,412. If we exercised the buyback option at 5 years the Caterpillar proves out at lower annual cost under the NJPA contract. Annual costs increase with longevity of ownership, 8% assuming a positive salvage value and 30% with no asset value utilizing NJPA figures.



**Equipment Cost Reference**

	Equipment	Purchase Price	Life	Value	Net Cost	Net Annual Cost	Estimated Hours
<b>NJPA Contract (Cashman)</b>							
1	2010 CAT 140 M	\$244,498	5	\$188,000	\$56,498	\$11,299.60	5,000
2	2010 CAT 140 M	\$244,498	15	\$60,000	\$184,498	\$12,299.87	15,000
3	2010 CAT 140 M	\$244,498	15	\$0	\$244,498	\$16,299.87	15,000
4	2010 CAT 140 M w/options	\$249,203	5	\$188,000	\$61,203	\$12,240.60	5,000
5	2010 CAT 140 M w/options	\$249,203	15	\$60,000	\$189,203	\$12,613.53	15,000
6	2010 CAT 140 M w/options	\$249,203	15	\$0	\$249,203	\$16,613.53	15,000
7	2010 CAT 140 M AW w/options	\$278,412	5	\$210,000	\$68,412	\$13,682.40	5,000
8	2010 CAT 140 M AW w/options	\$278,412	15	\$75,000	\$203,412	\$13,560.80	15,000
9	2010 CAT 140 M AW w/options	\$278,412	15	\$0	\$278,412	\$18,560.80	15,000
<b>Elko County Contract (Cashman)</b>							
10	2010 CAT 140M	\$269,116	5	\$188,000	\$81,116	\$16,223.20	5,000
11	2010 CAT 140M	\$269,116	15	\$60,000	\$209,116	\$13,941.07	15,000
12	2010 CAT 140M	\$269,116	15	\$0	\$269,116	\$17,941.07	15,000
<b>Elko County Contract (Cashman)</b>							
14	2010 CAT 140M AW	\$302,293	5	\$210,000	\$92,293	\$18,458.60	5,000
15	2010 CAT 140M AW	\$302,293	15	\$75,000	\$227,293	\$15,152.87	15,000
16	2010 CAT 140M AW	\$302,293	15	\$0	\$302,293	\$20,152.87	15,000
<b>CalTrans Contract (Pape')</b>							
17	2010 JD 772 GP	\$248,409	3	\$159,000	\$89,409	\$29,803.00	3,000
18	2010 JD 772 GP	\$248,409	5	\$138,000	\$110,409	\$22,081.80	5,000
19	2010 JD 772 GP	\$248,409	15	\$60,000	\$188,409	\$12,560.60	15,000
20	2010 JD 772 GP	\$248,409	15	\$0	\$248,409	\$16,560.60	15,000

Both quoted lease options with the guaranteed buy back. The annual cost per machine increases with the length of a lease. The purchase price utilizing a lease escalates 6-27% depending on the length and type of lease.

***Lease Cost reference***

Equipment	Lease Length	Annual Payments	Balloon	Total Cost	Annual Cost/ 15 Year Life
2010 Cat 140 M	3	\$52,592	\$132,243	\$290,243	\$19,349
2010 Cat 140 M	5	\$37,947	\$112,412	\$302,149	\$20,143
2010 JD 772 GP	3	\$87,830	\$501	\$263,990	\$17,599
2010 JD 772 GP	5	\$54,761	\$501	\$274,304	\$18,286
2010 JD 772 GP	3	\$54,128	\$142,100	\$304,484	\$20,299
2010 JD 772 GP	5	\$42,406	\$127,300	\$339,330	\$22,622

I recommend the purchase of the Motor Graders with the buyback option over a lease option. The Caterpillar has the lowest annual cost over a 5 year buyback, 15 year life span and the lowest upfront cost without all wheel drive. The trend has been higher resale recovery on Caterpillar equipment. I ask the Board of County Commissioners for direction on the purchase of replacement Motor Graders.