

Monday, December 6, 2010

The regular meeting of the Humboldt County Board of Commissioners was called to order on Monday, December 6, 2010, at 9:30 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, Special Counsel to the Commission O. Kent Maher, Administrator Bill Deist and Clerk of the Board Tami Rae Spero.

**DISCUSSION & ACTION ON CORRECTION/APPROVAL OF MINUTES - NOVEMBER 22, 2010:**

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

*For approval as submitted.*

**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 Water Budgets for 2011-2012: The water distribution budgets for the 2011-2012 season for the Little Humboldt River, the Humboldt River, the Kelly Creek Groundwater Basin, the Paradise Valley Groundwater Basin, the Clovers Area Groundwater Basin, the Quinn River Distribution and the Pumpernickel Valley Groundwater Basin were presented to the Board for certification as required by NRS 533.285. *Recommendation: That the Commission approves the water budgets as presented.*
2. Set to Public Hearing the 2011 Community Development Block Grant Program Planning: It was noted that this is the time of the year that the block grant process begins and the first step is a hearing. *Recommendation: That the Commission set the hearing for the December 20, 2010 meeting.*

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

*To accept 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 noted that a copy of a

letter from the Department of Interior informing Humboldt County that they will not be paying the Geothermal Revenue sharing to the Counties as they are operating under a continuing resolution which does not provide for the payment had been provided to the Commission for their review. Upcoming meetings and dates of importance were reviewed for the Board. Commissioner Fransway asked if Humboldt County had received any geothermal revenues in 2010. Administrator Deist stated that some had been received. Commissioner Fransway commented that both the Nevada Association of Counties and the National Association of Counties consider the permanent restoration of these funds to be a very high priority.

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

**THEY SERVE ON:** No reports 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.*

**REQUEST FROM THE DRUG FREE GRADUATION COMMITTEE FOR A DONATION FOR THE 2011 DRUG FREE GRADUATION PARTY:** Paige Brooks, Tiffani Laird and Julie Tipton appeared

before the Board on behalf of the Drug Free Graduation Committee. Ms. Tipton spoke in support of the request for a donation from the County to assist with party; she discussed the amount they are seeking to raise, the loss of a federal grant and the hope that they can recoup that amount in the donations provided; she noted that in the past the County has donated \$2,500.00 but this year they are requesting \$3,500.00. Ms. Brooks stated that they would be requesting the same amount from the City of Winnemucca and would also be seeking a donation from the WCVA; she discussed what is provided with the money donated, who they seek donations from and noted that all prizes are obtained locally. Discussion occurred regarding the total costs for the party and what types of prizes are provided. Chairman Giordano asked why the school district does not contribute. Ms. Brooks explained that it is not a total school function, it is a parent party but they do use the building that is reserved for graduation by the school district, use their liability coverage and their tax free number for purchases. The following motion was made by Commissioner Fransway:

*To approve \$2,500.00 for the graduation event for the drug free party.*

Commissioner Cassinelli asked why it couldn't be upped by \$500.00. Commissioner Fransway stated that request should go to the WCVA. Commissioner Cassinelli stated he thought the WCVA gives more anyway. Ms. Brooks said the request would be for an increase from all. Commissioner Fransway asked if the increase was because of the loss of the grant. Ms. Brooks stated yes and no as the event has proven itself to be worthwhile and it will not be possible to have the event if the ante is not upped a little bit.

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Commissioner Fransway stated maybe it could be upped more next year but his motion stands as offered. Chairman Giordano called Commissioner Fransway's motion to a vote and if failed with Chairman Giordano and Commissioners Amos, Cassinelli and Bell voting nay and Commissioner Fransway voting aye. The following motion was made by Commissioner Bell and passed with Chairman Giordano and Commissioners Amos, Cassinelli and Bell voting aye and Commissioner Fransway voting nay:

*To grant \$3,500.00.*

Commissioner Fransway wanted it stipulated that he is just opposed to the extra money for this fiscal year as it is not going to be a picnic next year.

**ADOPTION OF A RESOLUTION CONDEMNING THE PURCHASE, POSSESSION, SALE OR OFFERING FOR SALE OF CERTAIN SYNTHETIC MARIJUANA CHEMICAL COMPOUNDS COMMONLY REFERRED TO AS "SPICE":**

A copy of the proposed resolution was provided to the Commission for review. Administrator Deist noted that this action had been discussed at a previous meeting and that the City Council has adopted a resolution. Commissioner Fransway discussed actions taken by the FDA, the Nevada Pharmacy Board, the Legislative Counsel Bureau and the Nevada Association of Counties to work towards making these substances illegal. The following motion was made by Commissioner Amos and passed unanimously:

*To adopt the resolution condemning the purchase, possession, sale or offering for sale of certain synthetic marijuana chemical compounds commonly referred to as spice.*

*(Resolution No. 12-06-10)*

**REPORT AND RECOMMENDATIONS FROM AG DISTRICT 3 REGARDING THE PLACEMENT OF WIND TURBINES AT THE WINNEMUCCA EVENTS COMPLEX:**

Chairman Giordano stated that this item had been cancelled after the agenda was posted. Administrator Deist stated that the item is going back to the Ag District 3 for further discussion before being brought forward to the Commission.

**REVIEW OF WINNEMUCCA CONVENTION AND VISITOR'S AUTHORITY PROPOSAL TO ADD IMPROVEMENTS TO THE WINNEMUCCA EVENTS COMPLEX TO ACCOMMODATE APPROXIMATELY 170 TEMPORARY CAMPSITES AND POSSIBLE APPROVAL OF SAID**

**PROPOSAL:** Provided to the Board for review was a memorandum detailing the request from WCVA Director Kim Petersen, a copy of the site plan detailing the proposed locations for the temporary hookups and cost estimates from NV Energy for the locations. Director Petersen appeared before the Board and gave an overview of the request for the temporary campsites that are required for the Silver State International Rodeo, an event that has entered a five year agreement with the WCVA beginning in July of 2011; he

discussed the funds committed to the project by the WCVA, the infrastructure that must be in place for the event, the projected revenue the event is anticipated to bring into the community, the proposed location of the temporary hook up sites, the use of pasture land for the sites, the diversion of the water right to another parcel, the method of getting power to the sites and the design, installation and storage of the junction boxes. Director Petersen requested the following items from the County Commission: approval for WCVA to proceed with the proposed preparation of 170 additional temporary campsites with electrical and water; authorization for the County Administrator to submit the NV Energy New Service Application; funding for the NV Energy fees for the primary electrical infrastructure, not to exceed \$55,000.00 and the acceptance of the donation from the WCVA for all additional costs to complete the 170 additional temporary WEC campsites, not to exceed \$150,000.00. Commissioner Bell asked if the funds were in the current budget. Administrator Deist stated they were not in the Winnemucca Events Complex fund but they could be found in the Building Reserve Fund. Commissioner Fransway asked if the project would occur in this fiscal year. Director Petersen stated it would. Discussion occurred regarding what was included in the NV Energy costs and what those costs were. Commissioner Bell stated his support of the proposed project. Commissioner Fransway noted the importance of the temporary campsites being safe. After discussion the following motion was made by Commissioner Bell and passed unanimously:

*That the Commission approves the WCVA to proceed with the proposed preparation of the one hundred and seventy additional temporary campsites and also to authorize the County Administrator to submit the NV Energy service application for the new service application and also that the Commission fund the monies not to exceed \$55,000.00 and that the Commission accepts the donation from the WCVA to complete the one hundred and seventy additional temporary campsites and that it be done in accordance with County Code.*

**REQUEST FROM THE BLM TO JOIN THEM AND THE CITY OF WINNEMUCCA TO OFFER A REWARD FOR ARREST AND CONVICTION OF PERSON OR PERSONS COMMITTING VANDALISM AT THE WATER CANYON RECREATION AREA:**

Lisa Ross, Public Affairs Specialist for the BLM and Amanda DeForest, Supervisory Natural Resource Specialist for Humboldt River appeared before the Board. Specialist DeForest addressed the Board and detailed the vandalism that had occurred in November in the upper area of Water Canyon at the restrooms and provided the Board with photos for review; she noted that the City of Winnemucca has committed \$500.00 and that the BLM has committed \$500.00 towards a reward; she asked that the County agree to contribute \$500.00 to the effort also so that it is a \$1,500.00 reward for the arrest and conviction for the person or persons who committed the vandalism

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and she additionally requested that the Humboldt County Gang Unit take the lead in the investigation. Commissioner Bell agreed that it was a good idea noting that there have been numerous incidents of vandalism over the years; he asked if there has been increased patrols or surveillance in the area to help mitigate the problem. Specialist DeForest discussed how the area is monitored including the difference between summer and winter. Administrator Deist noted that the Sheriff also patrols the area as time allows and suggested that if it is the desire of the Commission to participate then a BLM representative could meet with the Sheriff to discuss the process. Commissioner Fransway commented that one of the main problems is that in recent years the County, City and BLM have invested substantial commitments to the area to make it useable by the public; he suggested that one way to help fix the problem is to make sure that if someone is caught that they are held accountable to the full extent of the law and that they are made responsible for restitution and pay the maximum price. Discussion occurred regarding including the reward amount in any court ordered restitution. After discussion the following motion was made by Commissioner Fransway and passed unanimously:

*To approve the request to participate in the reward for the arrest and conviction for those responsible for vandalism at the Water Canyon Recreation Area and request that any and all arrests be prosecuted to the fullest extent of the law including damage restitution.*

**PRESENTATION AND ACCEPTANCE OF THE COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR ENDING JUNE '30, 2009 AND THE AUDIT RELATED**

**THERETO:** The Board had received copies of the Humboldt County Nevada Comprehensive Annual Financial Report (CAFR) for the fiscal year ended June 30, 2010 for their review. Andree Rose and Tara Stoker of Kafoury Armstrong & Co. appeared before the Board. Ms. Rose reviewed the CAFR for the Board and noted that the County was receiving an unqualified clean audit. Ms. Stoker reviewed a number of charts for the Board including a comparison of ending cash balances for all funds, a comparison of ending fund balances for all governmental fund types, revenue by source for all governmental fund types, expenditures by function for all governmental fund types, revenue by source for the General Fund, expenditures by function for the General Fund, comparison of revenues versus expenditures for the General Fund, comparison of ending fund balance for the General Fund, revenue by source for the special revenue funds, expenditures by function for the special revenue funds and a comparison of revenues versus expenditures for the proprietary funds. Ms. Rose continued with the review of the CAFR and the required audit letter between the auditors and the Commission (see attached) discussing noted violations identified on page 48, a large adjustment made as related to franchise fees and minor unadjusted audit differences. Ms. Rose also

discussed the upcoming required implementation of GASB 54 and Kafoury's intent to assist Humboldt County with the implementation. After discussion the following motion was made by Commissioner Bell and passed unanimously:

*To accept the audit as presented by Kafoury Armstrong.*

**SHERIFF'S OFFICE:** Sheriff Ed Kilgore appeared before the Board.

**DISCUSSION AND APPROVAL OF DETENTION CENTER MEDICAL SERVICES AGREEMENT**

**WITH DR. ROBBIE GRANT:** A copy of the proposed agreement was provided to the Board for review. Sheriff Kilgore addressed the Board and spoke in support of the agreement. Mr. Maher commented on concerns with language in the contract. Discussion occurred regarding the language of the contract, the intent of some of the language, the fee structure and the time frame for approving the contract. Mr. Maher stated that he would correct the issues and bring the item back before the Board. The Board agreed.

**REPORT BY THE SHERIFF REGARDING HIS OUT OF STATE TRAVEL:** Sheriff Kilgore discussed a trip he had taken to Washington DC for a conference about law enforcement on federal lands; he noted that the cost had been paid for by the BLM.

*Chairman Giordano recessed the meeting for lunch at 11:43 a.m. to reconvene at 1:30 p.m.*

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

**REPORT OF PENDING ROAD DEPARTMENT PROJECTS:** Superintendent Garrett reported on road grading, the cleaning of cattle guards, pothole repair, a call from the State regarding the Eden Valley Bridge proposed project, the Jungo Road project which is on hold until spring, the status of the application for right-of-way for the proposed frontage road between Delaney and Bruce Drives and work on Hershell Road.

**MISCELLANEOUS RELATED ROAD MATTERS:** Chairman Giordano stated he had received a report from John DeLong that Bottle Creek Road from Jungo to the DeLong Ranch had gotten pretty rough. Superintendent Garrett indicated that once he can figure out how to get out there without tearing up Jungo it will be addressed. Chairman Giordano stated that he had received a call from Duane Boggio regarding the culverts at Cottonwood getting clogged. Discussion occurred regarding the use of double culverts as opposed to a single large culvert and that when put in the design was to allow overflow to go over the road. Commissioner Fransway reported a comment he had received about Sand Pass Road and the new gravel portion being awful soupy. Superintendent Garrett stated that a lot of roads are like that right now due to the weather.

**COMMITTEE APPOINTMENTS:** Chairman Giordano asked as a courtesy that the other applicants step out of the room as the individuals were interviewed and stated that following the interviews the Board would

discuss the interviews and make the appointment at the end of the meeting.

**HOSPITAL BOARD:** Copies of the requests for appointment from the seven applicants were provided to the Board for review. Commissioner Bell disclosed for the record that he is a hospital board employee and stated that any decision that a hospital board would make would not affect him materially one way or another any more than any other hospital employee, so with that disclosure and after talking to legal counsel, he stated he would not be abstaining he would be participating in this discussion. Mr. Maher concurred. The Board interviewed the following applicants for the Hospital Board Seat A: Bill Douglas, Mel Hummel, Ed Hopfer, Ron Schrempp, Shirley Evans, Tebeau Piquet and Stephen Quilici. At the time of his interview, applicant Ron Schrempp withdrew his name from contention.

**REGIONAL PLANNING COMMISSION:** Copies of the requests for appointment from the four applicants were provided to the Board for review. The Board interviewed the following applicants for the Regional Planning Commission: Bill Douglas, Mike Meagher, Lewis Trout and Tracy Openlander.

**UPDATE FROM HYCROFT MINING ON THEIR EXPLORATION AND EXPANSION PLANS:** Warren Woods, Vice-President & General Manager of Hycroft Resources & Development and Debbie Lassiter, Vice-President for Environmental Affairs for Allied Nevada appeared before the Board. Ms. Lassiter updated the Board on the Plan of Operation for Hycroft and the status of the Environmental Impact Statement (EIS) application submitted to the BLM. Mr. Woods discussed ongoing exploration at Hycroft, expansion at the site, future plans for the mine, the costs of mining, the types of minerals being mined and the EIS timetable.

**UPDATE ON RECRUITMENT FOR THE POSITION OF COMPTROLLER AND THE HIRING PROCESS, EXTENSION OF THE RECRUITMENT PERIOD, OR OTHER ALTERNATIVES AND MATTERS RELATED THERETO:** Administrator Deist stated that some applications have been received but they are limited to no government finance experience and so his recommendation would be that the recruitment period be extended and he noted that the auditor agrees. Commissioner Fransway agreed with the recommendation. The Board concurred. Discussion occurred regarding whether a motion was required. Mr. Maher stated that based on comments by the Chairman, he could just direct staff to continue with the process. Chairman Giordano directed the Administrator to continue with the process.

**CONTINUED COMMITTEE APPOINTMENTS:**

**HOSPITAL BOARD:** The Board discussed the candidates interviewed. After discussion the following motion was made by Commissioner Bell and passed with Chairman Giordano and Commissioners Amos, Cassinelli and Bell voting aye and Commissioner Fransway voting nay:

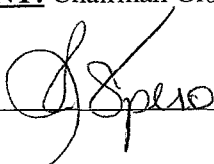

*To appoint Mel Hummel to the Hospital Board.*

**REGIONAL PLANNING COMMISSION:** The Board discussed the candidates interviewed. After discussion the following motion was made by Commissioner Fransway and passed unanimously:

*To appoint Mr. Lewis Trout to the vacant position on the Regional Planning Commission.*

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

**ADJOURNMENT:** Chairman Giordano adjourned the meeting at 4:07 p.m.

ATTESTED:  Clerk      APPROVED:  Chairman

UNOFFICIAL



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**MEMORANDUM**

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**TO: COMMISSIONERS**  
**FROM: ADMINISTRATOR**  
**DATE: November 30, 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 Water Budgets for 2011-2012: Attached are the water budgets for next year. We approve these at this time each year.

*Recommendation: That the Commission approves the water budgets as presented.*

2. Set to Public Hearing the 2011 Community Development Block Grant Program Planning: It is the time of year when we begin the Block Grant process. The first step is this hearing.

*Recommendation: That you set the hearing for your December 20, 2010 meeting.*

**MEMORANDUM**

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**TO:** COUNTY COMMISSIONERS  
**FROM:** COUNTY ADMINISTRATOR  
**DATE:** November 15, 2010  
**SUBJECT:** OTHER INFORMATION AND UPCOMING MEETINGS

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**OTHER INFORMATION:**

1. Geothermal Revenue sharing: Attached is a letter from the Department of Interior informing us that they will not be paying this to the Counties as they are operating under a continuing resolution which does not provide for this payment.

**UPCOMING MEETINGS:**

1. December 8, 2010 Meeting with the Governor Elect
2. December 9, 2010 Management Team
3. December 10, 2010 Meeting with BLM District Manager
4. December 20, 2010 Commission



**KAFOURY, ARMSTRONG & CO.**  
A PROFESSIONAL CORPORATION  
CERTIFIED PUBLIC ACCOUNTANTS

*Serving our clients since 1941.*

November 24, 2010

To the Honorable Board of County Commissioners  
of Humboldt County, Nevada

We have audited the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of Humboldt County, Nevada for the year ended June 30, 2010. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards, *Government Auditing Standards* and OMB Circular A-133, as well as certain information related to the planned scope and timing of our audit. We communicated such information in our letter to you dated May 21, 2010. Professional standards also require that we communicate to you the following information related to our audit.

Significant Audit Findings

*Qualitative Aspects of Accounting Practices*

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by Humboldt County are described in Note 1 to the financial statements. No new accounting policies were adopted and the application of existing policies was not changed during 2010. We noted no transactions entered into by the governmental unit during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimates affecting the financial statements were:

Management's estimate of depreciation of property and equipment is based on estimated useful lives as set by industry standards. We evaluated the key factors and assumptions used to develop the useful lives in determining that it is reasonable in relation to the financial statements taken as a whole.

Management's estimates of other postemployment benefits are based on information calculated by an actuary. We evaluated the key factors and assumptions used to develop these estimates in determining that it is reasonable in relation to the financial statements taken as a whole.

*Difficulties Encountered in Performing the Audit*

We encountered no significant difficulties in dealing with management in performing and completing our audit.

ELKO

FALLON

LAS VEGAS

RENO

WINNEMUCCA

YERINGTON

### *Corrected and Uncorrected Misstatements*

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are trivial, and communicate them to the appropriate level of management. The attached schedule summarizes uncorrected misstatements of the financial statements. Management has determined that their effects are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

The following material misstatement detected as a result of audit procedures was corrected by management: a material receipt received subsequent to year-end was incorrectly recorded in the 2010-2011 fiscal year instead of the 2009-2010 fiscal year; see description in the financial statements under the heading "Findings Relating to the Financial Statements Reported in Accordance with Generally Accepted Government Auditing Standards (GAGAS)" in the Schedule of Findings and Questioned Costs.

### *Disagreements with Management*

For purposes of this letter, professional standards define a disagreement with management as a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

### *Management Representations*

We have requested certain representations from management that are included in the management representation letter dated November 24, 2010.

### *Management Consultations with Other Independent Accountants*


In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the governmental unit's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

### *Other Audit Findings or Issues*

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the governmental unit's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

This information is intended solely for the use of the Board of County Commissioners of Humboldt County and management of Humboldt County and is not intended to be and should not be used by anyone other than these specified parties.

Very truly yours,

By   
Andree A.B. Rose, Engagement Shareholder

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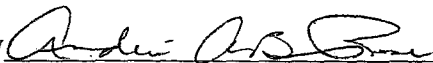
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Very truly yours,

By   
Andree A.B. Rose, Engagement Shareholder

