

Monday, May 2, 2011

The regular meeting of the Humboldt County Board of Commissioners was called to order on Monday, May 2, 2011, at 10:00 a.m. in the regular place of meeting at the Courthouse, Winnemucca, Nevada. Those present were Chairman Garley Amos Jr., Commissioners Mike Bell, Dan Cassinelli, Tom Fransway and Jim French, District Attorney Michael Macdonald, Administrator Bill Deist and Clerk of the Board Tami Rae Spero.

DISCUSSION & ACTION ON CORRECTION/APPROVAL OF MINUTES: MARCH 28, 2011

SPECIAL MEETING (BUDGET), APRIL 4, 2011 REGULAR MEETING AND APRIL 18, 2011

REGULAR MEETING: Chairman Amos asked for input on the March 28, 2011 meeting minutes; none offered. The following motion was made by Commissioner French and passed unanimously:

To approve the minutes.

Chairman Amos asked for input on the April 4, 2011 meeting minutes; none offered. The following motion was made by Commissioner Cassinelli and passed unanimously:

To approve April 4, 2011.

Chairman Amos asked for input on the April 18, 2011 meeting minutes; an amendment was offered by Commissioner Fransway. The following motion was made by Commissioner Bell and passed unanimously:

To approve the minutes of the 18th of April with amendment as presented by Commissioner Fransway.

PUBLIC COMMENTS: Chairman Amos asked for public comments. Administrator Deist noted that the new Comptroller had started the previous week and he offered his thanks to the staff of the Comptroller's Office for their efforts over the past few months since the previous Comptroller had left. No further comments 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 CDBG Quarterly Project Reports for the Winnemucca Futures Project and the Star City Water Systems Improvements: Copies of the CDBG Quarterly Projects Reports were provided to the Board for review. *Recommendation: That the Commission approves the reports and authorizes the Chairman to sign them.*

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

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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.

2011 LEGISLATIVE MATTERS: POSSIBLE FORMULATION OF COUNTY TESTIMONY/INPUT ON PROPOSED LEGISLATION, RESPONSE TO LEGISLATIVE COMMITTEE REQUESTS, NACO LEGISLATIVE REQUESTS FOR INFORMATION AND RELATED MATTERS: Administrator Deist commented on the meeting of the Economic Forum which was scheduled for today and on press articles he had provided related to local government finances.

MISCELLANEOUS REPORTS AND CORRESPONDENCE:

OTHER INFORMATION AND UPCOMING MEETINGS: Administrator Deist informed the Board that notification had been received from the City of Winnemucca regarding properties which are being annexed into the City limits and that Delong Drilling had sent a notice to the County detailing the in town recycling drop off locations they would be installing. Upcoming meetings and dates of importance were noted.

REPORTS FROM COMMISSIONERS REGARDING OTHER BOARDS AND COMMITTEES THEY SERVE ON: Commissioner French reported on a POOL/PACT meeting he had attended. Commissioner Bell reported on a meeting he had attended in Carson City related to AB 449. Commissioner Fransway reported on a SLUPAC meeting he had attended in Carson City.

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 by staff.

REPORT/UPDATE OF COUNTY ADDRESSING PROJECT: Building & Safety Director Bobby Thomas and Building Department Clerk Karen Johnson appeared before the Board. Director Thomas informed the Board that all residential structures and major commercial structures in the County have been given physical addresses; he discussed how residual matters may come in related to how addressing occurred including the numbering and conflicts with street names and how these issues were being handled. Commissioner Cassinelli questioned the address assignments in the Bottle Creek area. Mrs. Johnson explained the effect of the established grid system on the numbers used for the addresses. Discussion occurred regarding road changes, that mailing addresses will change for some properties, the

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ability to address parcel splits and which properties addresses are provided to.

ADOPTION OF A RESOLUTION OF RETURN OF SALE RELATED TO THE APRIL 15, 2011

TAX AUCTION: Provided to the Board for review was a copy of the proposed resolution with attached exhibit A detailing parcels sold (see Exhibit A as attached). Treasurer Gina Rackley appeared before the Board. Treasurer Rackley stated that twelve parcels had been sold and reviewed the amount paid and the process for dealing with excess proceeds from the sales. The following motion was made by Commissioner Fransway and passed unanimously:

To adopt the resolution related to the return of sale for the April 15th tax auction.

(Resolution No. 05-02-11)

POSSIBLY SET TO PUBLIC HEARING AN ALLEGED NUISANCE AT 3010 SAGE HEIGHTS DRIVE, WINNEMUCCA, NEVADA ON PROPERTY OWNED BY JESUS J. CASTANDEDA:

Provided to the Board for review was a copy of the nuisance complaint and subsequent complaint with photos and a copy of the inspection report provided by the Building & Safety Director. Administrator Deist reviewed the contents of the complaint for the Board. Commissioner Fransway stated that he had viewed the site and it appeared one pick up had been removed but he suggested the matter be set to public hearing. Clerk Spero noted that the complainants issue had to do with the property owner bringing additional vehicles in following an abatement of prior nuisances related to the same multiple vehicle problem. Commissioner French agreed and offered comment that there are really two issues here both the current complaint and the fact that this is a re-occurring problem and that needs to be addressed at a public hearing. The following motion was made by Commissioner Fransway and passed unanimously:

To set to public hearing at the next Commission meeting.

APPROVAL OF CONTRACT WITH NEVADA STATE HEALTH DIVISION FOR PUBLIC HEALTH NURSE SERVICES:

A copy of the proposed contract was provided to the Board for review. Administrator Deist commented that this is the same contract and amount as used in the past, this is just the renewal for the next biennium; he requested approval of the contract. The following motion was made by Commissioner Cassinelli and passed unanimously:

To approve the contract and authorize the Chairman to sign.

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

REQUEST FOR A WAIVER TO THE ATTRITION POLICY FOR AN EQUIPMENT OPERATOR POSITION WHICH IS CURRENTLY VACANT:

Superintendent Garrett spoke in support of a request to waive the attrition policy for an equipment operator position noting that the

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employee previously in the position had went out on sick leave in December and following the use of all allocated time had officially left the position on April 4, 2011; he discussed the number of current operators, how those positions are scheduled and the effect on the road maintenance with the vacancy. After discussion the following motion was made by Commissioner Bell and passed unanimously:

To grant the waiver to the attrition policy for the equipment operator position.

REVIEW AND DEVELOPMENT OF INPUT RELATED TO THE SUMMIT LAKE RESERVATION TRANSPORTATION PLAN: Provided to the Board for review was the offered input regarding the Summit Lake Reservation Transportation Plan prepared by Superintendent Garrett. Superintendent Garrett reviewed the input he had prepared including issues with roads identified being incorrectly named/numbered, roads being identified as Tribal roads which are not, inaccuracies in the mileage indicated and the traffic count estimates and differing classifications; he noted that the plan did not mention approval, consultation or an interlocal agreement with the County for road activities and includes roads which the County did not approve for inclusion in the Tribe's road inventory. Administrator Deist noted that at a prior meeting the Commission had denied the request from the Tribe to include additional roads in their inventory and had notified the Tribe that furthermore the roads previously allowed to be included were going to be withdrawn due to what has occurred since that time; he noted that the original agreement had been based on the indication that funding would be available for maintenance on the roads and that funding had not materialized, that many of the roads indicated in this transportation plan fall well outside the reservation boundaries and noted that with regards to the Soldier Meadows Road the Commission had just entered into an agreement with the BLM regarding the maintenance of that road in exchange for the County maintaining the Little Owyhee Road. Administrator Deist suggested that without a number of assurances including interlocal agreements that the Commission inform the Tribe that the County is not interested in participating. Superintendent Garrett agreed and stated that the discrepancies should be identified. The Board concurred and agreed that the information provided was sufficient for submission. Commissioner French asked if the Tribe had included language related to Ruby Pipeline repairing roads in the Idaho/Oregon Canyon section. Superintendent Garrett stated it was not but it was included in the County's permits which were issued for the project. Commissioner French noted that any discussion in the future regarding interlocal agreements or memorandums of understanding should center around closures of the road even on a temporary basis. Superintendent Garrett concurred noting the ongoing issue related to closures being gone by the time the County is informed and investigates. The following motion was made by Commissioner Fransway and

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passed unanimously:

To submit the input presented in the packet today as Humboldt County's official comment to Summit Lake Reservation Transportation Plan.

REPORT OF PENDING ROAD DEPARTMENT PROJECTS: Superintendent Garrett discussed roads impacted by the Ruby Pipeline Project and how/when the company will repair the roads and to what standard they will be repaired. Commissioner Cassinelli noted the damage done to Bottle Creek Road and asked about the level of repairs. Commissioner Bell suggested that perhaps additional funding could be provided by the County to bring it up to a 5 inch overlay. Commissioner Cassinelli concurred with the suggestion. Superintendent Garrett agreed it could be looked at but questioned if it could be done that way. Administrator Deist commented on whether funds would be available as the RTC funds are already committed and noted that with relation to Bottle Creek the company only has to repair the first mile so then it would go back to the original thickness for the rest of the paved section. Superintendent Garrett commented that the 3 inch overlay will last approximately 20 years. Superintendent Garrett reported on grading, washout repairs, pothole patching and the upcoming mag chloride application. Superintendent Garrett discussed the responsibility of the County to keep the channel of the Little Humboldt open and clear per an agreement with the Civil Corp of Engineers and what is being done to address the current condition of the channel. During discussion Chairman Amos suggested that this be considered an annual maintenance project for the department. Superintendent Garrett continued discussing the monitoring of the Eden Valley Bridge as to the amount of water running and the potential for closure, the condition of Cordero Road and planned pothole patching as it would be cost prohibitive to re-pave the road and a request by the Racing Association to obtain some mag chloride from the County's provider for which the association will pay the cost of what they obtain. The Board agreed that if the Association pays for the product it would be alright for them to obtain if from the County's provider. District Attorney Macdonald offered the opinion that no motion would be required for the matter.

MISCELLANEOUS ROAD RELATED MATTERS: None offered.

SET TO PUBLIC HEARING AN AMENDMENT TO HUMBOLDT COUNTY CODE CHAPTER 17.68.150 RELATED TO COMMISSION OVER-TURNING DECISION OF THE REGIONAL PLANNING COMMISSION BY AN UNANIMOUS VOTE OF THE COMMISSION: District Attorney Macdonald stated that he was still in the process of researching this issue and requested that the Board table the item until the research can be completed noting that he would keep the Board informed as to the status of the issue. The following motion was made by Commissioner Bell and passed

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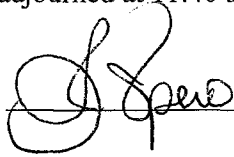
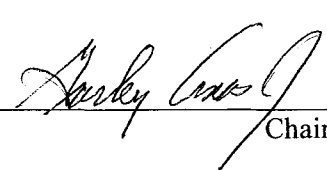
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unanimously:

To table this agenda item until the District Attorney gives the Board notice.

PUBLIC COMMENTS: Chairman Amos asked for public comments. Ken Hladek addressed the Board regarding the Winnemucca Futures Project Report and was informed that the Commission had received a copy of the report.

ADJOURNMENT: Commissioner Fransway offered a motion to adjourn which passed unanimously. The meeting adjourned at 11:40 a.m.

ATTESTED:  Clerk APPROVED:  Chairman

UNOFFICIAL

MEMORANDUM

TO: COMMISSIONERS
FROM: ADMINISTRATOR
DATE: April 27, 2011
SUBJECT: CONSENT AGENDA

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

1. Approval of CDBG Quarterly Project Reports: Attached are the reports for the Winnemucca Futures Project and the Star City Water Project for your review.

Recommendation: That the Commission approve the reports and authorize the Chairman to sign them.

UNOFFICIAL

MEMORANDUM

TO: COUNTY COMMISSIONERS
FROM: COUNTY ADMINISTRATOR
DATE: April 27, 2011
SUBJECT: OTHER INFORMATION AND UPCOMING MEETINGS

OTHER INFORMATION:**UPCOMING MEETINGS:**

1. May 6, 2011 NACO Board
2. May 6, 2011 Management Team
3. May 13, 2011 Chair and Administrator and BLM District Manager
4. May 16, 2011 Commission

Return of Sale of Trust Property
Sold at Auction April 15, 2011
Exhibit "A"

Parcel #	Minimum Bid	Amount Paid (High Bid)	Sold To
002-391-04	1,000.00	3,200.00	Quinn River Crossing Ranch, LLC
005-366-01	5,200.00	20,000.00	James McNerney
006-496-43	1,000.00	1,700.00	Scott Sorenson
006-612-16	2,500.00	18,000.00	Angel Cardenas
007-231-54	600.00	1,400.00	Wendy Raynor
007-291-55	600.00	700.00	Norman Sweeney
007-302-04	800.00	3,900.00	Dale Lunen
007-302-15	800.00	3,000.00	Fisayo Ayeni
008-122-02	600.00	600.00	Norman Sweeney
013-195-20	1,000.00	7,100.00	Charles Stringham
014-234-12	800.00	1,500.00	Daniel Guilbert
014-284-06	700.00	1,700.00	William Lott

To: County Commission
 From: Ben Garrett, Roads Superintendent
 Date: April 25, 2011
 Subject: Summit Lake Transportation Plan Review

Humboldt County received the Summit Lake Long Range Transportation Plan for review and input on April 13, 2011. Comments are due by May 16, 2011.

Several of the identified roadways are incorrectly named and numbered. Roadways claimed by the Summit Lake Tribe within the reservation boundaries are Humboldt County Roadways identified in maps dated 1873 and considered County Roadways. The mileage listed in the Indian Reservation Road Inventory (IRRI) is inaccurate. The plan makes the assumption Humboldt County will relinquish ownership of roads within the county's infrastructure.

IRRI Mapped Rte #	IRRI Rte Name	IRRI Mileage	Humboldt Rte #	Humboldt Name	Humboldt Mileage
201	Summit Lake Road	30.70	202	Summit Lake Road	14.71
BIA 3	Denio Road	1.60	203	Knott Creek Road	16.91
213	Cedarville Road	22.80	213	Badger Mountain Road	26.21
BIA2	Cedarville Road	3.10			
217	Soldier Meadows Road/Gerlach Road	54.80	200	Soldier Meadows Road	43.25
BIA 1	Gerlach Road	4.90			
			201	Cedarville Road	14.12
			217	Trout Creek Road	6.36
Total		117.90	Total		121.56

The above chart illustrates the discrepancies between our records and the IRRI in appendix "A" and on the attached maps.

Section 1.2.3 addresses Functional Classifications of roadways. Using the NDOT criteria for determining road functionality the roads in the plan are Class Type "C" and "D" roadways with a Minor classification within the County's road system. In Appendix "D" the plan classifies the roadways as Class 2-Rural Minor Arterials. Jungo Road in our system ranks as Rural Minor Collector, a Class 4 road by BIA standards. I question the accuracy and subjectivity of the roadway classification and roadway condition assessments in Appendix "D".

The plan calls for an in depth traffic study to determine the volume of truck traffic. Our last traffic count, during the peak of hunting season, captured an ADT of 24-26 on all listed roadways. The money spent on a traffic study would be better served in the maintenance of the roadways.

In Section 2.3.5 future projects have been identified. A \$254,088 funding source is noted for planning projects with 25% of the funding secured for road maintenance over a 4 year span. Section 2.3.2 A and B; specify maintenance projects short range and long range. The projects encompass continual maintenance, a project for \$272,500 on Soldier Meadows Road and a road relocation project on Soldier Meadows Road for \$966,500.

Objectives listed in 2.1.1 are to secure funding to subsidize the maintenance and repair of roadways; procure and upgrade equipment and facilities to construct maintain and repair roadways to industry standards within a 75 mile radius of the Reservation.

The plan does not mention approval, consultation or an inter-local agreement with Humboldt County for any road activities.

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