

Monday, June 6, 2011

The regular meeting of the Humboldt County Board of Commissioners was called to order on Monday, June 6, 2011, at 9:30 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 - MAY 16, 2011:**

Corrections offered by Commissioner Fransway. The following motion was made by Commissioner Bell and passed unanimously:

*To approve minutes as corrected.*

**PUBLIC COMMENTS:** Chairman Amos asked for public comments. Larry Willis addressed the Board regarding an issue with a mobile home at 4345 Center Lane and asked if the condition of the home was a violation of code; he provided a photo of the mobile home in question. Administrator Deist suggested that the matter be referred to the Building & Safety Department; the Board concurred. Administrator Deist stated he would notify Building Official Thomas and provide him with the photo. Chairman Amos asked for further public comment; none offered.

**ADMINISTRATIVE REPORT:**

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

1. Ratification of Chairman's Signature on Letter to Postal Service related to the proposed closing of the Orovada Post Office: Administrator Deist noted that on May 24, 2011 he and Chairman Amos had attended a meeting in Orovada regarding this subject at which the Postal Service had indicated that they would accept comment on the proposal for ten more days so as a result the Chairman sent the attached letter as the time frame would have expired prior to this meeting. *Recommendation: That the Commission ratifies the Chairman's letter.*
2. Approval of Chairman's Signature on Intrastate Interlocal Contract between the Nevada Department of Information Technology and Humboldt County for Rack Rental Space: A copy of the proposed agreement was provided to the Board for review. Administrator Deist noted that the County has equipment in State owned facilities at two locations and that this agreement covers those rentals. *Recommendation: That the Commission authorize the Chairman to sign the agreement.*

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Discussion occurred regarding the Orovada Post Office issue. After discussion the following motion was made by Commissioner French and passed unanimously:

*To accept the Consent Agenda as presented.*

**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 noted that the legislative session is coming to an end and reviewed bills and resolutions which had passed including AB141 and SCR1; he noted that the impact on the local budgets is still unknown and that the effect may require a special meeting of the Commission before the end of June to deal with any impacts.

**MISCELLANEOUS REPORTS AND CORRESPONDENCE:**

**OTHER INFORMATION AND UPCOMING MEETINGS:** Administrator Deist stated that a contract had been received from the preferred architect for the Dispatch project and it had been forwarded to the District Attorney's Office for review so it might be brought before the Commission for approval at the next meeting. Administrator Deist noted that a copy of a press release related to the issue with Wild Lands designation had been provided to the Board for their information. Upcoming meetings and dates of importance were noted.

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

**THEY SERVE ON:** Commissioner French reported on a Regional Planning Commission (RPC) meeting at which the update of the Master Plan had been discussed, a meeting he had with the Hospital Administrator related to offering services to the County at cost and the possibility of a proposal related to that by the end of the week and an initial Resource Advisory Committee meeting he had attended related to grants for operating on the Santa Rosa Forest Service District.

Commissioner Cassinelli reported on a special meeting held by the Winnemucca Convention & Visitors Authority (WCVA) related to the purchase of the property across the street from the West Hall of the Convention Center for use as a parking lot.

Commissioner Fransway discussed the Western Interstate Regional (WIR) Conference he had

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attended on behalf of the Nevada Association of Counties (NACO) and resolutions discussed related to public lands.

**CLAIMS FOR EXPENDITURES OF COUNTY FUNDS:** Administrator Deist suggested that this item be continued until later as it was time for item 3 on the agenda and the claims had not been fully reviewed. The Chairman concurred.

**REQUEST FROM MR. AND MRS. CHARLES WHITE TO ADDRESS THE COUNTY COMMISSION ON SUBJECT OF PROBLEMS WITH LOOSE DOGS WHOSE OWNERS**

**REFUSE TO DO ANYTHING ABOUT:** Charles and Cindy White of 9755 Betty Lane appeared before the Board. Mr. White addressed the Board regarding issues with loose dogs in his neighborhood including his attempt to have the Animal Control Officer handle the matter, his attempt to contact the animals' owners and their response and his request that the Commission take some sort of action on the issue. Mrs. White addressed the Board regarding issues with the dogs including entering her yard, chasing her when she rode her horse and threats against their dogs by the other owners; she discussed Animal Control's failure to handle the situation and offered suggestions such as assessment fees which could be put toward a shelter. Discussion occurred regarding the Sheriff meeting with Mr. and Mrs. White regarding the issue, the failure of the dogs' owners to contain them even after the Animal Control Officer contacted them, the fact that the White's have fenced their property but the animals get in if they leave any gates open, the possibility of Animal Control being able to ticket the dogs' owners even if the dog has returned to their property and that Animal Control only issued a ticket for failure to have rabies tags. Commissioner Fransway noted that the White's have the right to enjoy a peaceful life and that it would be appropriate for this Commission to ask the Sheriff and Animal Control to become more involved with the situation on Betty Lane. Discussion occurred regarding when a kennel license is required. Chairman Amos concurred that there is a problem but noted that it is difficult for the Commission to address it so it should proceed through proper channels with the Sheriff and Animal Control. After discussion the following motion was made by Commissioner Fransway and passed unanimously:

*That the County Commission requests that the Sheriff intervene with Animal Control on the issues on Betty Lane and that he meet with Mr. and Mrs. White to discuss the problem to try and get it resolved.*

**REQUEST FROM THE SHERIFF'S OFFICE FOR A WAIVER TO THE ATTRITION POLICY FOR A PATROL DEPUTY VACANCY:** Administrator Deist stated that a note had been received from

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the Under Sheriff requesting that this item be removed from the agenda as they have another position to fill which has already been approved for waiver but the person they had hired did not make it through training so as they can fill that one they do not wish to proceed with this one at this time. The Board concurred.

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

*To approve the claims for expenditures as presented.*

**REQUEST FROM DAVID SELESNICK TO DISCUSS MATTERS RELATED TO THE APRIL 20, 2011 AND THE MAY 19, 2011 MEETINGS OF THE WCVA BOARD:** A copy of a letter from David Selesnick requesting time on the Commission agenda related to the WCVA not discussing items agendaized was provided to the Board for review. Mr. Selesnick appeared before the Board and explained that item 8b on the April 20, 2011 WCVA agenda related to bid specifications for a temporary RV park at the Events Complex was not discussed at the meeting and that upon his inquiry WCVA Chairman Terry Boyle stated that it was being continued to the next meeting and then the item identified as 7b on the May 19, 2011 agenda was again not discussed. Mr. Selesnick continued stating that he had subsequently requested time on the next WCVA agenda to discuss the matter but on June 1<sup>st</sup> a special meeting of the WCVA occurred at which a resolution was passed related to the matter which was never discussed at a public forum. Responding to a question from Commissioner Bell Mr. Selesnick explained why the bid specs should be discussed at a public meeting.

Bill Macdonald, legal counsel for the WCVA appeared before the Board and explained that the item had appeared on the agenda under the Board Secretary/Legal Counsel report section and as he had been working on the purchase of the property across from the Convention Center he had not accomplished what was necessary to make a report which was noted in the minutes. Commissioner Fransway asked if action was taken at either meeting to continue the item. Mr. Macdonald stated no it was just held over to the next agenda. Mr. Macdonald continued discussing the actions taken in posting notice of the June 1<sup>st</sup> special meeting which had included the resolution as an action item; he reviewed the tentative minutes of the June 1<sup>st</sup> meeting for the Board and the language of the resolution. Mr. Macdonald discussed the requirements as to bid specifications under Nevada Revised Statutes. Mr. Selesnick voiced his concern that the bid specs were not discussed publically and that the resolution was not made public until the special meeting. Chairman Amos noted that it appeared the meeting had been properly agendaized and posted. Commissioner Fransway commented that the County Commission only has

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authority over the WCVA relative to the appointment of the members and that this seems to be an issue relative to the Open Meeting Law which the Commission has not got authority over. Chairman Amos agreed that the matter is not an issue for this Board. Mr. Selesnick questioned the Board on why they did not have authority over the WCVA. Chairman Amos commented that the Commission does not police the WCVA. Mr. Selesnick questioned why the Commission would not be concerned about the impact on local business based on the resolution. Discussion ensued.

Don Stoker, a member of the WCVA, addressed the Board and noted that the temporary RV park had been discussed and public comment had been received at a prior County Commission meeting and at the meeting the Commission had went along with what the WCVA was planning. Commissioner Bell agreed stating that discussion had occurred that the event was going to be a good thing for the community and so the project should be proceeded with; he questioned why this matter was coming before the Commission. Mr. Selesnick stated that there is no one in the room who owns or operates a RV park so there should be an economic impact determination and he stated his concern that there are no policies and procedures set forth for this particular RV park. Commissioner Bell stated that he believed that was what the Commission had determined at the other meeting and that for the Commission to tell the WCVA they had done something wrong, this was just not the venue for that, if they did an open meeting violation or improperly posted an agenda there are other venues that deal with that. The following motion was made by Commissioner Bell:

*To move on.*

Commissioner French questioned Mr. Selesnick as to whether he had been able to go through the economic analysis or discuss the issue with the WCVA prior to the resolution being adopted. Mr. Selesnick stated no. Commissioner French noted that he sees what Mr. Selesnick is saying but that the Commission's hands are tied relative to actually saying something to the WCVA; he continued stating that he believes it is incumbent on any public body to hear that type of analysis. Commissioner Bell stated that was discussed at the original meeting with the WCVA and the impact had been realized and discussion had occurred regarding the priority of people without animals being diverted to the other RV parks. Mr. Selesnick disagreed and stated that is not the way it was working and at the meeting he had tried to clarify what constitutes an event and the response from Mr. Amos was "business is what constitutes an event", which opened the door for anyone to use the park. Administrator Deist stated it was participants at an event. Mr. Selesnick continued questioning if there are always events at the facility and discussing the usage referring to articles in the local paper; discussion ensued. Commissioner Fransway

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suggested that Mr. Selesnick contact the Attorney General's Office to determine if there had been an open meeting law violation but that was all that the Commission could do. Mr. Selesnick questioned why there weren't policies and procedures in place for the RV spaces at the Events Complex. Commissioner Cassinelli stated that at the meeting it was indicated that only people with horses could stay on a temporary basis, they are not open to just anybody that wants to stay. Mr. Selesnick disagreed. Mr. Macdonald commented on how the regular spaces are handled. Commissioner Cassinelli clarified that was excluding the new temporary ones going in.

Rodd Stowell, a member of WCVA, addressed the Board and noted that the RV Park industry in town had made it perfectly clear that they did not want horses on their properties so that is a non-issue and that it was the Commission who made the decision originally that these RV spaces did not have an economic impact and that the only thing the WCVA is doing in its position is funding it as they have no say so over the fairgrounds or what this Board approves. Commissioner Cassinelli concurred. Mr. Selesnick commented on the relevancy that there were trailers in the facility on a non-event day and stated that he has went by on days without events when there are RVs there. Commissioner Bell amended his motion as follows:

*That this agenda item has no relevance to this Commission and that the Board move to the next item as there is nothing the Board can do so it is no action.*

Commissioner French asked that something be added to the motion as he believes one thing the Board can do is to review the practices of the Events Center so that we don't find ourselves directly competing with people who are actually paying the taxes and that the policies and procedures should address such items as if RVs are accepted during non-event times and what constitutes an event. Commissioner Bell offered the following amended motion and it passed unanimously:

*That this agenda item has no relevance to this Commission and that the Board move to the next item as there is nothing the Board can do so it is no action and to request that Ag District 3 look into what Commissioner French indicated.*

Commissioner Cassinelli and Chairman Amos noted that it is ok to ask for review and to look at it but that there are policies already in place.

**MCDERMITT FIRE DISTRICT:** Bill Macdonald, Legal Counsel for the McDermitt Fire District and John Moddrell, McDermitt Fire Chief appeared before the Board.

**ADOPTION OF A RESOLUTION PROVIDING NOTICE TO THE DEBT MANAGEMENT COMMISSION OF THE REQUEST TO CONSIDER THE COUNTY'S PROPOSAL, ON**

**BEHALF OF THE MCDERMITT FIRE DISTRICT, TO ISSUE AN INSTALLMENT PURCHASE AGREEMENT WITH A TERM OF UP TO 30 YEARS:** Administrator Deist requested that this item be tabled as counsel for the fire district and bond counsel are still discussing the best process to utilize to get this done. The following motion was made by Commissioner Bell and passed unanimously:

*To table item A under the McDermitt Fire District discussion and action.*

**POSSIBLY PROVIDING INTERIM FINANCING UP TO \$105,500 IF NECESSARY TO THE DISTRICT FOR CONSTRUCTION WITH PAYBACK AT LOAN CLOSING WITH USDA AND AUTHORIZE THE CHAIRMAN TO SIGN DOCUMENTATION RELATED TO THE INTERIM FINANCING:** Administrator Deist explained that the McDermitt Fire District is in the process of building an addition and doing improvements to the Fire Hall; that the District has received a \$79,000.00 grant and a \$105,500.00 loan from the USDA Rural Development; that the County is providing \$20,000.00 for the County's share in the upgrades to the Sheriff's substation which is in the building; that there are a number of steps that must be accomplished so the loan may be closed and that is cutting into prime construction time. Administrator Deist continued proposing that the County provide interim financing so that construction can begin and then the District would pay the County for any interim financing advanced when the loan closes. After discussion the following motion was made by Commissioner Fransway and passed unanimously:

*To provide interim financing for the McDermitt Fire station as requested with repayment at zero interest for \$105,500.00.*

**ADOPTION OF A RESOLUTION DECLARING A NUISANCE AT 4120 BUCKLEY LANE ON PROPERTY OWNED BY CLIFTON M. AND JEANNIE M. BROWN:** A copy of the proposed resolution was provided to the Board for review. Property owner Clifton M. Brown and complainant Larry Willis appeared before the Board. Mr. Willis presented photos to the Board of the location. Mr. Brown addressed the Board regarding the vehicles including that all but two are licensed and insured though one of the two, which he is storing for his mother, could be licensed, that all but one are driveable; he continued discussing his meeting with the Building Department and the plan to pull another building permit to allow him to complete the building this summer and his plans for the mulching in the compost to treat the soil naturally and his concern regarding creating more odors if he roto-tills it at this time. Commissioner Fransway stated that he believes a nuisance exists as of today. Mr. Brown questioned what needed to be done specifically. Building & Safety Director Bobby Thomas appeared before the

Board and noted that the trusses which were hazardous had been removed but noted that a new permit needs to be obtained to complete the building and the grass piles and the pallet piles need to be removed. Mr. Brown noted that the pallets referred to are not at 4120 Buckley Lane but on the property next to that address. Commissioner Bell questioned whether the building could be torn down. Mr. Brown stated no as he would lose the money he has invested to this point. Commissioner French noted how long the unfinished building had been at the site and asked when Mr. Brown planned to have it completed. Mr. Brown responded and discussed the issues which had occurred over the past four years to delay the completion and stated that he would try and have it done this summer; he noted that then the two old cars could be placed in the building so he could restore them. Commissioner French noted that this is a legitimate complaint and questioned what Mr. Brown was bringing to the Board to resolve the issue. Mr. Brown commented on the condition of other properties in the Warmouth subdivision and discussed what he had been trying to do to address the issues. Commissioner French commented on the multiple issues with this complaint and inquired why Mr. Brown had not attended the previous hearing. Mr. Brown explained that he had intended to attend but an emergency had prevented that. Commissioner French again noted that this is a legitimate complaint and that there had been no changes since the decision to prepare the resolution and he would like to see it resolved. Mr. Willis commented on the property and possible code violations. Commissioner Cassinelli noted that Mr. Brown has had four years to complete the building and that if it would get done the vehicles could be put in it; he stated he was not sure about the grass situation and whether that would make the soil better or not. District Attorney Macdonald reviewed the code language as related to outside storage of vehicles and commented on his concern as to the identified issues within the resolution. District Attorney Macdonald addressed Building & Safety Director Thomas regarding the issues with the building. Director Thomas explained that the trusses had been removed and that it had been decided at the last meeting that Mr. Brown would need to pull a new permit to complete the pole barn. Mr. Brown stated that he had discussed the issue with the Director and he would need to come up with a new design that would make it less expensive to complete the construction. Discussion occurred regarding the pulling of a permit and the time frame that permit allows for completion including possible extensions. District Attorney Macdonald noted that if a permit is pulled that is evidence of an ongoing project than the nuisance issue is handled in regards to the pole barn. Mr. Brown indicated that the permit would be pulled probably within the next week. Commissioner Cassinelli noted the problem with 180 days and then another 180 days to get the issue resolved. Mr. Brown said he had discussed the issue with the Building Director and that would happen because it has to

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get done. Commissioner Fransway stated that Mr. Brown needed to make this a very high priority as it is not the responsibility of the neighbors if Mr. Brown has a fiscal issue, it has to be done. Commissioner Fransway noted that item two of the resolution states very specifically what must be done to abate the nuisance. The following motion was made by Commissioner Fransway:

*To adopt the resolution as presented here.*

Commissioner Bell asked legal counsel if the code indicated whether the vehicle had to operable or not. District Attorney Macdonald stated the code stated unlicensed vehicles. Discussion occurred regarding what needed to be done to abate the nuisance. Commissioner Fransway asked that his motion be called to a vote. Mr. Willis commented on the photo provided to the Board. Chairman Amos asked the Clerk to re-read the motion. The Clerk read the motion as made by Commissioner Fransway. Chairman Amos called the motion to a vote and it passed unanimously.

*(Resolution No. 06-06-11)*

**APPROVAL OF MOU (MEMORANDUM OF UNDERSTANDING) WITH MANUFACTURED HOUSING DIVISION FOR INSPECTION AND TESTING THE INSTALLATION OF MANUFACTURED HOMES AND COMMERCIAL COACHES WITHIN HUMBOLDT COUNTY AND AUTHORIZE THE CHAIRMAN'S SIGNATURE:**

A copy of the proposed Intrastate Interlocal Contract between Public Agencies was provided to the Board for review. Building Official Bobby Thomas appeared before the Board and reviewed the proposal noting that this is an update to a prior contract that has no sunset date. David Selesnick inquired as to what an "MOU" is and Administrator Deist explained the term. The following motion was made by Commissioner Bell and passed unanimously:

*To approve the Letter and Interlocal Contract with the Manufactured Housing Division for inspection and testing of the installation of manufactured homes and commercial coaches within Humboldt County and authorize the Chairman's signature.*

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

**APPROVAL OF MOU (MEMORANDUM OF UNDERSTANDING) BETWEEN FORT McDERMITT PAIUTE AND SHOSHONE TRIBE AND HUMBOLDT COUNTY FOR ROAD MAINTENANCE AND AUTHORIZE THE CHAIRMAN'S SIGNATURE:**

A copy of the proposed Memorandum of Understanding and a map of the roads (see attached) were provided to the Board for review. Superintendent Garrett reviewed the request and the language of the MOU for the Board. Commissioner French questioned whether the agreement addressed any of the issues with access which

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have been ongoing. Administrator Deist stated that those types of problems have not been an issue at McDermitt. Superintendent Garrett concurred. The following motion was made by Commissioner Cassinelli and passed unanimously:

*To authorize the Chairman to sign the MOU between Humboldt County and Fort McDermitt Paiute and Shoshone Tribe.*

**REPORT OF PENDING ROAD DEPARTMENT PROJECTS:** Superintendent Garrett reported on flooding issues, the status of the Mag Chloride application, ongoing grading and cattle guard cleaning. Superintendent Garrett informed the Board that the Eden Valley Bridge had been closed to truck traffic due to high water flow.

**MISCELLANEOUS ROAD RELATED MATTERS:** Discussion occurred regarding the status of the Jungo Road Project.

**REQUEST TO SOLICIT PROPOSALS FOR RETENTION OF A QUALIFIED INDEPENDENT CONSULTANT TO REVIEW, EVALUATE AND COMMENT ON JUNGO'S APPLICATION TO NDEP FOR A CLASS 1 LANDFILL:** Administrator Deist noted that in the proposed settlement agreement was a provision to allow the County to hire an independent contractor to review the Jungo Landfill application and provide input; that as the agreement was not accepted, the Commission had discussed in January doing this on its own but at that time the Board chose not to proceed in that direction; now Commissioner French has asked that this be put back on the agenda for further discussion.

Commissioner French commented on the changes which have occurred to the project in terms of the operating plan and noted that those changes make this ultimately a moving target and the reason for bringing this request before the Board at this time is because NDEP (Nevada Division of Environmental Protection) states on their website that they intend to go to public hearing and comment in June and he believed there would be a need for an independent third party who is qualified to look at projects like this to actually have the opportunity to take a look at the project and make specific recommendations to the Board. Commissioner French continued stating that he believes this project is fluid enough right now that it would be premature to actually hire or enter into a contract with a contractor at this moment as he does not believe we have seen the end to the discussion and the changes to the plan and so he would hate to see the Board invest the resources at this stage in time and then turn around and have to take another look at it later on; he noted that it appears that there is an opportunity for the County to require the applicant themselves to pay for the costs for accumulating the remaining data necessary for the Board to evaluate and that is something that should be looked at as well. Chairman Amos asked if the suggestion was that

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the Board not take any action on this agenda item at this time. Commissioner French concurred and explained why he had initially requested the item be placed on the agenda and what has changed. Commissioner Bell expressed concern about NDEP going into public comment and the County having no one at the table; he stated his fear that the Board would miss the boat and questioned if someone could appear at a NDEP hearing at the last minute. Commissioner Fransway read a statement from the website of the Nevada State Environmental Commission who oversees NDEP relative to the status of the Jungo Landfill application and when the matter can go to public hearing following obtaining all local land use controls as administered by Humboldt County and stated his belief that if NDEP sets any public hearings or comments they would be contrary to the direction of the State Environmental Commission and if they do then the County needs to interject as they are going beyond their scope; he stated his concurrence with Commissioner French that hiring a consultant would be premature. Commissioner Bell stated that he just wanted it to be clear that he believed that the County needs an expert who will be prepared. Commissioner French stated that he shared that concern but on the conservative side he did not at this time want to invest the funds as a public hearing is not imminent; he stated his belief that it is incumbent on the Board to move forward relative to preparing for that selection and to monitor the process not only as to the court side but to the regulatory part including NDEP and NDOW (Nevada Division of Wildlife). Commissioner Bell stated he was ok with that but he just wanted to make sure. District Attorney Macdonald expressed concern stating his understanding that the State is moving forward with the process but that the County has not received notice of when the public comment would occur. Commissioner Fransway noted that was contrary to the direction of the Environmental Commission and if they move forward then the County needs to make a comment or maybe more than a comment. Commissioner French commented that if the public comments portion moves forward the County would have justification for requesting an extension. Commissioner Bell commented on his understanding of the ability of NDEP to have a public hearing. Commissioner French offered further comment about the County requesting an extension.

Phil Jacka offered public comment and asked the District Attorney about the stay and the ability of NDEP to proceed. Commissioner French suggested that maybe what should occur is that a letter come from this Board to NDEP requesting clarification on their timing schedule. Commissioner Fransway stated that he believed the Board should wait to see if NDEP sets hearings and if they do set hearings then the Board needs to respond through their attorneys. Mr. Jacka continued asking why the County's attorneys had not addressed the stay to NDEP and commented on the changes made to the plan.

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*Chairman Amos recessed the meeting at 11:49 a.m. to reconvene at 1:30 p.m.*

**ACCEPTANCE OF RENEWAL PROPOSAL FROM NEVADA PUBLIC AGENCY INSURANCE POOL (POOL) AND APPROVAL FOR PAYMENT FROM FISCAL YEAR 2011-2012 FUNDS:**

A copy of an e-mail from Stephen B. Romero with Wells Fargo Insurance Services detailing changes to the County's policy and a Member Services Summary were provided to the Board for review. Doug Smith of Nevada Public Agency Insurance Pool appeared before the Board. Mr. Smith reviewed the policy for the Board including the rate increases and a handout provided to the Board entitled POOL/PACT: The Resource You Own. After discussion the following motion was made by Commissioner Fransway and passed unanimously:

*To accept the proposal to renew the Nevada Public Agency Insurance Pool contract and to approve payment from the fiscal year 2011-2012 funds.*

**JOINT MEETING BETWEEN THE HUMBOLDT COUNTY COMMISSION AND THE WINNEMUCCA CITY COUNCIL:**

Present on behalf of the City Council were Mayor DiAn Willis-Putnam, Councilmen Rich Stone, Doug Cain, Paige Brooks and Jim Billingsley, City Manager Steve West, City Clerk Eddy Davis and City Attorney O. Kent Maher. Councilman Joyce Sheen was not in attendance.

**PRESENTATION ON AND POSSIBLE APPROVAL TO SIGN THE INTERLOCAL AGREEMENT RELATED TO THE WESTERN NEVADA HOME CONSORTIUM:**

Provided to the Board and Council for review was an e-mail of support from Carson City - Lead Agency Janice Brod Management Assistant/CDBG Coordinator Carson City Planning Division, a letter recommending support from the Humboldt County Development Authority (HDA) and a copy of the proposed Interlocal Agreement. Rex Massey, Contract Administrator for Western Nevada HOME Consortium appeared before the Board and discussed his position's duties, the makeup of the Board of Directors of the Consortium and what the consortium does related to funding housing and housing related programs. Mr. Massey provided a handout for the Board which detailed the current members of the board, the meeting schedule of the board, the mission of the consortium, the funding sources, the required agreements and plans, past housing programs supported by WNHC funding through 2010, the WNHC Administration lead agency, the term of the interlocal agreement, that there is no cost for membership or participation, the partner agencies and the current challenges for WNHC. Questions were asked regarding possible risks of failed projects and if taxpayer dollars would be at risk. Mr. Massey responded explaining why risk was minimal and discussing why Lyon County withdrew from the consortium; he noted the benefits to the

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community. Commissioner Fransway asked about the consortium's efforts to make the projects a benefit to the community and not a blight. Mr. Massey discussed the standards and oversight of the housing projects/programs supported by the funding and what is done to make sure they are maintained appropriately. Administrator Deist commented on HDA's concerns related to affordable housing in the community and their belief that this program could help address that need; he noted that without the County joining the City would not be able to join. The following motion was made by Commissioner Bell and passed unanimously:

*That Humboldt County join Western Nevada HOME Consortium.*

Councilman Stone offered the same motion on behalf of the City and it passed. The contract was signed by the Chairman as presented. Discussion occurred regarding the appointee to the Board.

**APPROVAL OF AGREEMENT BETWEEN THE BOARD OF REGENTS OF THE NEVADA SYSTEM OF HIGHER EDUCATION ON BEHALF OF THE UNIVERSITY OF NEVADA RENO, HUMBOLDT COUNTY AND THE CITY OF WINNEMUCCA FOR STAFF SERVICES FOR THE HUMBOLDT DEVELOPMENT AUTHORITY:**

A copy of the proposed agreement was provided to the Board and Council for review. Administrator Deist noted that this is the annual agreement to cover the staff services at HDA. The following motion was made by Commissioner Bell and passed unanimously:

*That the Commission approve the agreement between the Board of Regents of the Nevada System of Higher Education on behalf of the University of Nevada, Reno and Humboldt County and authorize the Chairman to sign.*

Councilman Stone commented that the cost is up a bit this year but that it is money well spent and offered a motion on behalf of the City to approve which passed.

**APPROVAL OF THE CITY-COUNTY COST SHARING AGREEMENT FOR THE 2011 - 2012 FISCAL YEAR:**

A copy of the proposed agreement was provided to the Board and Council for review. City Manager West reviewed the agreement and noted the need to look at the costs associated with dispatch to determine if the 50/50 cost share is still appropriate. Administrator Deist concurred. Commissioner Fransway offered comment on the quality of the cemetery. Discussion occurred regarding the need to review the dispatch costs. Councilman Stone commented on the need to plan ahead as to the life of the cemetery. The following motion was made by Commissioner Bell and passed unanimously:

*To approve the City-County Cost Share Agreement for the fiscal year 2011-2012.*

Councilman Cain offered a motion to approve on behalf of the City which passed. Agreements

were signed as presented.

Mayor Willis-Putnam adjourned the City portion of the meeting at 2:51 p.m.

**NEGOTIATIONS WITH HUMBOLDT COUNTY LAW ENFORCEMENT ASSOCIATION**

**(HCLEA):** A representative for HCLEA was present in the audience for the open meeting portion of this item.

**CLOSED SESSION IN ACCORDANCE WITH NRS 288.220 FOR DISCUSSION WITH MANAGEMENT REPRESENTATIVES:**

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

*To go into closed session per NRS 288.220.*

After meeting in closed session with management representatives the following motion was made by Commissioner Fransway and passed unanimously:

*To come back into open session.*

**POSSIBLE APPROVAL OF CONTRACT WITH HCLEA FOR 2011 - 2012:** Administrator Deist reviewed the contract including associated costs for the Board and recommended approval. The following motion was made by Commissioner Cassinelli and passed unanimously:

*To approve the contract with law enforcement.*

**NEGOTIATIONS WITH HUMBOLDT COUNTY EMPLOYEES ASSOCIATION (HCEA):**

Representatives for HCEA were present in the audience for the open meeting portion of this item.

**CLOSED SESSION IN ACCORDANCE WITH NRS 288.220 FOR DISCUSSION WITH MANAGEMENT REPRESENTATIVES:**

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

*To go into closed session per NRS 288.220.*

After meeting in closed session with management representatives the following motion was made by Commissioner French and passed unanimously:

*To come back into open meeting.*

**POSSIBLE APPROVAL OF CONTRACT WITH HCEA FOR 2011 - 2012:** Commissioner French disclosed for the record that his wife is an employee of Humboldt County but stated that, as she will retire before realizing any of the proceeds from any of the negotiated settlement with Humboldt Employees Association offer, he would not be abstaining from discussion and action on this item. Administrator Deist reviewed the agreement including the costs associated with the contract and recommended approval of the contract. The following motion was made by Commissioner French and passed unanimously:

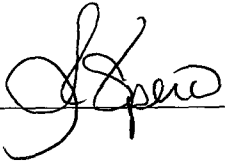
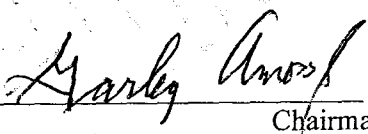
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*To accept the proposal as presented by the Administrator as negotiated with the Humboldt County Employees Association.*

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

**ADJOURNMENT:** Chairman Amos adjourned the meeting at 3:17 p.m.

ATTESTED:  Clerk APPROVED:  Chairman

## MEMORANDUM

TO: COMMISSIONERS  
FROM: ADMINISTRATOR  
DATE: June 1, 2011  
SUBJECT: CONSENT AGENDA

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

1. Ratification of Chairman's signature on letter to Postal Service related to the proposed closing of the Orovada Post Office: On May 24, 2011 Chairman Amos and I attended a meeting on this subject in Orovada. At that time we were told that the Postal Service would accept comment on the proposal for about 10 more days. As a result the Chairman sent the attached letter as the ten days would be up prior to our meeting.

*Recommendation: That the Commission ratifies the Chairman's letter.*

2. Approval of Chairman's Signature on Intrastate Interlocal Contract between the Nevada Department of Information Technology and Humboldt County for rack rental space: We have equipment in State owned facilities at two locations and this agreement covers those rentals.

*Recommendation: That the Commission authorizes the Chairman to sign the agreement.*