

Monday, September 19, 2011

The regular meeting of the Humboldt County Board of Commissioners was called to order on Monday, September 19, 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.

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

**DISCUSSION & ACTION ON CORRECTION/APPROVAL OF MINUTES - SEPTEMBER 6, 2011:** Administrator Deist informed the Board that the Clerk had not finished the minutes and they would be presented at the next meeting.

**ADMINISTRATIVE REPORT:**

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

1. **Annual Designation of areas at County buildings for petitions:** Administrator Deist noted that this is an annual requirement and that no changes have been made to the designated areas. *Recommendation: That the Administrator be authorized to sign the designation forms with the location being the same as past years.*

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 but that there would be landfill discussion later during the joint meeting with the City.

**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.

**CANVASS OF RETURNS FROM THE SEPTEMBER 13, 2011 SPECIAL ELECTION:** Copies of the Summary Report and the Statement of Vote for the September 13, 2011 Representative in Congress District 2 Special Election were provided to the Board for review (see attached). After review the following motion was made by Commissioner Fransway and passed unanimously:

*To accept the canvass of returns for the Special Election as presented.*

**MISCELLANEOUS REPORTS AND CORRESPONDENCE:**

**OTHER INFORMATION AND UPCOMING MEETINGS:** Administrator Deist informed the Board

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of a thank you from Lynn Trost of RSVP for the Commission's support of the program, that after the last meeting additional funds had been identified by the FAA for the Airport Seal Project so the amount to be contributed by the County would be reduced, that the Final supplement to the Martin Basin EIS had been received and would be reviewed with Brad Shultz, that the Sheldon Draft CCP/EIS had been released for public comment and if the Board was interested in a presentation regarding the document the Administrator would attempt to get a representative to attend a meeting in October. Upcoming meetings and dates of importance were noted. The Board agreed that they wanted a presentation regarding the Sheldon Draft CCP/EIS.

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

**THEY SERVE ON:** Commissioner Fransway discussed the ceremony for the opening of the old schoolhouse in Golconda that he had attended and also a trip he had taken to Washington D.C. as a member of a contingency from the National Association of Counties (NACo) to lobby for the re-authorization of Payment in Lieu of Taxes (PILT).

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

*To approve the claims for expenditures as presented by staff.*

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

**PRESENTATION OF CITIZEN AWARDS:** Sheriff Kilgore presented Bonnie Goodness and Burton Whitehead with Citizen's Commendations Awards for their assistance of Deputy Kathy Green on August 17, 2011 in Golconda. Sheriff Kilgore presented Deputy Kathy Green with a Sheriff's Commendation Award for her actions during the same incident.

**LIQUOR BOARD - REVIEW OF A LICENSE APPLICATION FOR THE PILOT TRAVEL CENTER WHICH PREVIOUSLY HAD A LIQUOR LICENSE UNDER THE FORMER MANAGER'S NAME:** Sheriff Kilgore requested that this matter be tabled until further information can be obtained related to the application. The Board concurred.

**JOINT MEETING BETWEEN THE HUMBOLDT COUNTY COMMISSION AND THE WINNEMUCCA CITY COUNCIL:** Present on behalf of the Winnemucca City Council were Mayor DiAn Willis-Putnam, Councilmen Rich Stone, Doug Cain, Paige Brooks and Jim Billingsley, City Manager Steve West and City Attorney O. Kent Maher. City Councilman Joyce Sheen was not in attendance.

**RECOMMENDATION FROM THE LANDFILL COMMITTEE TO GRANT A WAIVER OF**

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**THE 90 DAY REQUIREMENT TO PROVIDE WRITTEN REQUEST TO RENEW AGREEMENT FOR OPERATION OF THE HUMBOLDT COUNTY REGIONAL LANDFILL:**

Mayor Willis-Putnam noted that the City's representative on the Landfill Committee, Councilman Sheen, was not in attendance but she had voiced her support for this request. Councilman Stone commented that the Committee had felt the company had just missed the 90 day requirement and as the company had done such an excellent job it would be acceptable to waive the requirement and move forward with renewing the contract. Administrator Deist stated that when the contract for operation of the regional landfill was awarded in 2004 to DeLong Construction and Drilling the term was for seven years and section 2 of the contract provided for a conditional renewal for an additional term of seven years to be based on the performance of the operation. He continued noting that at the September 6, 2011 Landfill Committee meeting the committee offered the following recommendation to the Commission and Council - that the 90 day notice be waived as provided in the contract and that DeLong Construction and Drilling be given a seven year renewal for operation of the Humboldt County Regional Landfill with the current payment as the base and the continued use of the CPI as the method of figuring an increase in the contract amount. After discussion a motion was offered by Councilman Stone to waive the 90 day requirement and it passed. The following motion was made by Commissioner Fransway and passed unanimously:

*To waive the 90 day requirement for renewal of the contract at the regional landfill.*

**RECOMMENDATION FROM THE LANDFILL COMMITTEE REGARDING RENEWAL AND TERMS AND CONDITIONS OF RENEWAL OF THE AGREEMENT FOR OPERATION OF HUMBOLDT COUNTY REGIONAL LANDFILL WITH DELONG CONSTRUCTION AND DRILLING FOR ONE ADDITIONAL SEVEN YEAR TERM:** The following motion was made by

Commissioner Bell and passed unanimously:

*That the Commission renews the contract agreement for the regional landfill with DeLong Construction for an additional seven year term.*

Mayor Willis-Putnam commented that Councilman Sheen had expressed her satisfaction with the current contract, the provisions and the performance of DeLong. City Attorney Maher noted (from the audience) that the way the contract is set up, it includes a built in annual increase and on the renewal that would also be the case but it is an assumption that the base would be this prior year as that is not specified in the renewal but that is how he would interpret the contract; he recommended that such language be included in any motion. Councilman Stone pointed out that as the contract is set up this would be the final seven year extension, in the future the service would have to go out to bid. Councilman Stone offered a motion

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to accept the seven year extension with the cost of living increase based on the 2010 - 2011 year as a base and it passed. Commissioner French asked if the County's motion should be modified to reflect the City's vote. Chairman Amos agreed that should be done. Discussion occurred as to how to modify the motion. District Attorney Macdonald offered (from the audience) that the prior motion would need to be amended and a vote taken on that amendment. Commissioner Bell offered the following amended motion and it passed unanimously:

*That the Commission renews the contract agreement for the regional landfill with DeLong Construction for an additional seven year term with the cost of living increase based on the 2010 -2011 as the base for the contract.*

**DISCUSSION OF PROPOSED MELARKEY/WINNEMUCCA BOULEVARD INTERSECTION IMPROVEMENT PROJECT AND POSSIBLE COOPERATION BETWEEN CITY, COUNTY AND WCVA FOR PROPOSED SERVICE AGREEMENT WITH CTA ARCHITECTS**

**ENGINEERS:** Provided to the Board for review was a letter from CTA Architects Engineers outlining their project understanding and a breakdown of design fees for the project. Mayor Willis-Putnam reviewed the phases of the project and the associated costs. Don Stoker appearing on behalf of the Winnemucca Convention and Visitors Authority Board (WCVA) stated that the WCVA needed more information on the project but that discussion was agendaized for their next meeting. Administrator Deist discussed how the project and proposal had come about noting that contact has been made with Lowell Chichester regarding the Winners Casino on the one corner and he has expressed an interest in being part of the project but that the Holder Group who has the other corner has not been contacted yet. City Manager West noted that it has been the intent for a long time to make that intersection look better and that the Boards approval of phase one and the associated cost of \$5240.00 will help define the project and the associated cost, that the hope is to have all three entities chip in and that he did not know if phase two involving a 3D model would be needed. Mayor Willis-Putnam noted that following phase one before phase two the proposal would need to come before the Boards for their input. Discussion occurred regarding the cost estimate. Commissioner Fransway commented on why phase two should be considered and suggested that research be done about applying for an Nevada Department of Transportation landscape and aesthetics grant as this type of project could be a candidate for the program. Commissioner Bell stated he would be ok with phase two as long as input is allowed following phase one. Discussion occurred regarding the necessity of phase two and the manner in which to word any motion to show clear direction not to proceed past phase one without approval and how the costs would be split

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with the potential of involving the private property owners. The following motion was made by Commissioner Cassinelli:

*To accept the whole proposal with a notice to proceed issued for each phase as it goes along.*

Mr. Stoker noted a concern of the WCVA relative to their future plan to build a visitor's center on the west side corner of the Winnemucca Boulevard and Melarkey Street intersection and the need to incorporate that project into any plans. Administrator Deist clarified if Commissioner Cassinelli's motion was to accept the proposal as presented by CTA contingent upon the participation by the City and the WCVA. Commissioner Cassinelli said yes but stated the WCVA would have to wait until their meeting on the 28<sup>th</sup> and that one of his concerns was the ability to do something more with that corner and not take too much of it away but that the WCVA is in favor of the beautification. Commissioner Fransway suggested that language be added to the motion to direct staff to contact NDOT regarding any grant option through landscapes and esthetics as that shows the Board agrees that it is an official thing. Commissioner Cassinelli stated he did not have a problem with that, noting that if grant money could be obtained that is a good deal. After discussion the following amended motion was offered by Commissioner Cassinelli and passed unanimously:

*To accept the proposal presented by CTA with a notice to proceed issued for each phase as it goes along and contingent upon participation by the City and the WCVA and to direct staff to work with NDOT on any grant opportunities through the landscape and aesthetics program.*

Councilman Brooks offered a motion to mirror the County's motion and it passed.

**AIRPORT PROPERTY SALES COMMISSION POLICY PROPOSAL:** A copy of the Airport Board Recommendation for the Winnemucca Municipal Airport Industrial Park Real Estate Commission Policy (see attached) was provided to the Board for review. Lewis Trout of the Airport Board appeared before the Commission and Council. Mr. Trout spoke of the effort of the Airport Board in cooperation with the Humboldt Development Authority and local real estate brokers in pursuing marketing initiatives and innovations to help promote economic development at the airport and the airport industrial park; he detailed the purpose of the proposed commission policy, how it was developed and offered recommendations on how to implement the plan including the need for indemnity bonds and a cap on the commission payable to the licensed real estate brokers/agents. Discussion occurred regarding the proposal and the recommendations. City Manager West spoke in support of the proposal including the

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cap and the bond; he noted that something needed to be done to be competitive and something like this could help the airport industrial park plan move forward because it would help to get the interest of real estate brokers. Commissioner Fransway stated that he finds the idea interesting but that he would like to see something more detailed on paper about the proposal and he would like to have time to review that prior to making a decision. Mayor Willis-Putnam noted that local Realtors had been contacted regarding the proposal but they do not work in this type of higher end commercial sales so local businesses are not being circumvented and she would see the Boards offering positive direction to staff to move forward with developing the airport industrial park and for better utilization of the airport. Mr. Trout noted that the case study as to the Carry On situation would be valuable to show what the benefits are. Commissioner Fransway stated that it is an interesting concept but that he does not want to adopt something that obligates the entities to do something but that he does support moving forward to the next step by having staff work to gather more information. Manager West noted that other than the Carry On example he is not sure what else can be provided and noted the examples provided for review; he asked for suggestions as to what else could be provided to the Boards to help them make an informed decision. Commissioner French suggested that a working session be done to allow the Boards to hash things out as he believes there are a lot of questions; he discussed some of his questions. Manager West responded. On behalf of the City Mayor Willis-Putnam directed staff to work with Mr. Trout and with HDA to come back with a proper document. Commissioner Bell stated he would be in favor of the City's direction. Commissioner Fransway asked if the direction covered Commissioner French's concerns. Commissioner French stated it has the potential to take care of his questions if it is complete. Chairman Amos offered direction to the staff to mirror the City's direction.

**REQUEST FOR INCREASE IN CIVIL AIR PATROL HANGAR LEASE DONATION:** Provided to the Boards for review was a letter of request from the Humboldt County Composite Civil Air Patrol Squadron signed by Lt. Colonel (CAP) Irl L. Franklin asking that the City and County increase their support for the Civil Air Patrol's airport hanger by \$150.00 each to allow the group to obtain a larger hanger to house not only aircraft but a van. Mayor Willis-Putnam noted that the in the past the City and County have paid \$1,300.00 each and with approval that amount would increase to \$1,450.00; she continued noting the benefit of the program to the community. After discussion the following motion was made by Commissioner Bell and passed unanimously:

*To accept the request to increase the County's Civil Air Patrol's hanger lease donation by \$150.00 per year.*

Councilman Cain offered a motion to mirror the County's on behalf of the council and it passed.

Mayor Willis-Putnam adjourned the City Council portion of the meeting at 11:27 a.m.

**REQUEST THAT THE COUNTY CONSIDER PAYING ONE-HALF OF S<sup>3</sup> ENGINEERS LLC COST RELATED TO THE COVERED ARENA, WHICH WAS DAMAGED IN A WIND STORM, AT THE WINNEMUCCA EVENTS COMPLEX:**

Provided to the Board for review was an e-mail from Winnemucca Convention & Visitors Authority (WCVA) Director Kim Petersen requesting that the County consider paying one-half the engineering costs for S<sup>3</sup> Engineers to analyze the existing tensile fabric building (WEC Covered Riding Arena) to determine compliance to the International Building Code, 2009 edition and to recommend a maximum safe wind load and a copy of the contract proposal for engineering services; said e-mail noted that this request would also be taken to the WCVA at their September 28<sup>th</sup> meeting. Administrator Deist reviewed the request for the Board and recommended approval. After discussion and the Board's concurrence with the recommendation the following motion was made by Commissioner Bell and passed unanimously:

*That the County pay one-half of S<sup>3</sup> Engineers' costs related to the covered arena.*

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

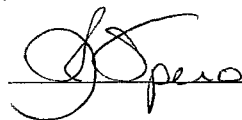
**REPORT OF PENDING ROAD DEPARTMENT PROJECTS:** Superintendent Garrett reported that the last part of the Jungo Road stimulus project is being done today, that roads are being watered due to trucks running for the potato harvest, that he is continuing to monitor the punch list related to road repairs for the Ruby Pipeline Project, that road grading is ongoing and that he will begin working with Hycroft to do maintenance work on Jungo Road. Chairman Amos commented on the quality of Jungo Road and Bottle Creek Road and questioned the speed limit for Weatherby. Superintendent Garrett stated he would be discussing the issue with the Sheriff but per County Code the speed limit is 25 unless otherwise posted.

**MISCELLANEOUS ROAD RELATED MATTERS:** None presented.

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

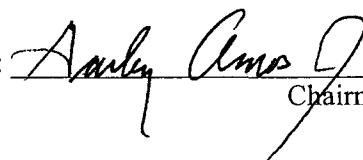
**ADJOURNMENT:** Chairman Amos adjourned the meeting at 11:36 a.m.

ATTESTED:



Clerk

APPROVED:



Chairman

MEMORANDUM

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TO: COMMISSIONERS  
FROM: ADMINISTRATOR  
DATE: September 13, 2011  
SUBJECT: CONSENT AGENDA

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

1. Annual Designation of areas at County Buildings for Petitions: This is an activity which you are required to do each year.

Recommendation: That the Administrator be authorized to sign the designation forms with the location being the same as past years.



SPECIAL ELECTION

September 13, 2011

Summary Report

HUMBOLDT COUNTY

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Humboldt 2011Special - Report 3

Registration & Turnout	5,287	Voters
Election Day Reporting Turnout	1,150	21.75%
Absentee Reporting Turnout	85	1.61%
Early Vote Reporting Turnout	1,004	18.99%
Total ...	2,239	42.35%

Rep in Congress, District 2 (15) 15/15 100.00%

Under Votes: 4

Over Votes: 0

REP - AMODEI, MARK E.	1,471	65.82%
IAP - FASANO, TIMOTHY	51	2.28%
IND - LEHMANN, HELMUTH	133	5.95%
DEM - MARSHALL, KATE	580	25.95%
Total ...	2,235	100.00%

HUMBOLDT COUNTY Statement of Vote  
SPECIAL ELECTION

100002		NONPARTISAN REP IN CONGRESS, DISTRICT 2												
310		Registration	Ballots Cast	Turnout (%)	AMODEI, MARK E.	FASANO, TIMOTHY	LEHMANN, HELMUTH	MARSHALL, KATE						
Precinct 1 0001	432	78	18.06	48	1	7	22							
Precinct 1 - Absentee Reporting	432	7	1.62	3	2	1	1							
Precinct 1 - Early Vote Reporting	432	96	22.22	58	5	6	27							
Precinct 2 0002	333	61	18.32	33	2	1	25							
Precinct 2 - Absentee Reporting	333	12	3.60	9	0	0	3							
Precinct 2 - Early Vote Reporting	333	76	22.82	35	0	3	38							
Precinct 3 0003	504	69	13.69	37	2	6	23							
Precinct 3 - Absentee Reporting	504	8	1.59	5	0	1	2							
Precinct 3 - Early Vote Reporting	504	117	23.21	69	5	5	38							
Precinct 4 0004	439	67	15.26	46	1	3	17							
Precinct 4 - Absentee Reporting	439	4	0.91	4	0	0	0							
Precinct 4 - Early Vote Reporting	439	70	15.95	40	1	9	20							
Precinct 5 0005	898	142	15.81	92	2	5	43							
Precinct 5 - Absentee Reporting	898	10	1.11	7	0	0	3							
Precinct 5 - Early Vote Reporting	898	228	25.39	141	1	11	74							
Precinct 6 0006	732	97	13.25	68	1	3	25							
Precinct 6 - Absentee Reporting	732	11	1.50	8	0	1	2							
Precinct 6 - Early Vote Reporting	732	152	20.77	113	0	6	32							
Precinct 7 0007	778	111	14.27	75	1	10	25							
Precinct 7 - Absentee Reporting	778	20	2.57	17	0	1	2							
Precinct 7 - Early Vote Reporting	778	135	17.35	89	6	11	29							
Precinct 8 0008	86	67	77.91	52	1	8	6							
Precinct 9 0009	117	73	62.39	47	3	8	15							
Precinct 10 0010	114	77	67.54	35	2	2	38							
Precinct 11 0011	176	78	44.32	70	0	4	4							
Precinct 11 - Absentee Reporting	176	5	2.84	5	0	0	0							
Precinct 11 - Early Vote Reporting	176	13	7.39	10	0	1	2							
Precinct 12 0012	132	58	43.94	47	1	4	6							
Precinct 12 - Absentee Reporting	132	3	2.27	2	0	0	1							
Precinct 12 - Early Vote Reporting	132	24	18.18	20	1	0	3							
Precinct 13 0013	169	109	64.50	62	9	10	28							
Precinct 14 0014	212	45	21.23	32	0	3	10							
Precinct 14 - Absentee Reporting	212	3	1.42	3	0	0	0							
Precinct 14 - Early Vote Reporting	212	56	26.42	48	0	1	7							
Precinct 15 0015	165	18	10.91	13	1	0	4							
Precinct 15 - Absentee Reporting	165	2	1.21	0	1	0	1							
Precinct 15 - Early Vote Reporting	165	37	22.42	28	2	2	4							
Precinct 99 099	0	0	0.00	0	0	0	0							
Precinct 99 - Early Vote Reporting	0	0	0.00	0	0	0	0							
Precinct Totals	5287	1150	21.75	757	27	74	291							
Absentee Reporting Totals	4801	85	1.77	63	3	4	15							
Early Vote Reporting Totals	4801	1004	20.91	651	21	55	274							
Grand Totals	5287	2239	42.35	1471	51	133	580							

**MEMORANDUM**

**TO: COUNTY COMMISSIONERS**

**FROM: COUNTY ADMINISTRATOR**

**DATE: September 13, 2011**

**SUBJECT: OTHER INFORMATION AND UPCOMING MEETINGS**

**OTHER INFORMATION:**

1. Airport seal project match: After your last meeting another \$37,803 was identified by the FAA for this project so the amount we agreed to contribute over the required 5% will be reduced.
2. Final Supplement to the Martin Basin EIS: We have received a early release of this document and will be reviewing it with Brad Shultz.
3. Sheldon draft CCP/EIS: This document has been released for Public Comment. We will be reviewing it and if you are interested in a presentation regarding the document we will attempt to get a representative to attend one of your October meetings.

**UPCOMING MEETINGS:**

1. September 20, 2011                      HR Training
2. September 20-22, 2011                NACO Annual Meeting
3. September 28, 2011                    Meeting with BLM on dispatch
4. October 3, 2011                        Commission

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September 13, 2011

AIRPORT BOARD RECOMMENDATION

WINNEMUCCA MUNICIPAL AIRPORT INDUSTRIAL PARK

REAL ESTATE COMMISSION POLICY

PURPOSE OF POLICY: To provide a financial incentive to attract and locate new job-creating / tax revenue generating businesses at the Winnemucca Municipal Airport Industrial Park.

REAL ESTATE COMMISSION:

The City/County will pay a commission (as shown below) to licensed real estate brokers/agents who successfully attract and locate a business to the Winnemucca Municipal Airport Industrial Park. The commission is to be due and payable at the close of escrow for property sales or upon recording of the lease documents.

COMMISSION SUMMARY:

- 1) **Property Value:** A commission of ten percent (10%) of the greater of the appraised property value (at approx. \$4,000/acre) or the actual purchase price will be paid (a minimum of \$5,000) on all land sales (does not apply to land leases);

**AND THE HIGHER OF**

- 2) **Building Capital Investment:** A commission of two percent (2%) of the development's initial capital improvement investment commitment (based upon a building value of \$50/square foot) will be paid;

**OR**

**Jobs Created:** A commission will be paid for each job created, based upon the committed number of initial employees, as follows:

10-25 new jobs: \$1,000 per job

25-100 new jobs: \$750 per job

Over 100 new jobs: \$500 per job

PROPERTY COMMISSION EXAMPLE SHEET:

Example 1: (15 jobs, 30,000 sf bldg., 10 acre sale)

Property Sale Value: 10 acres @ \$4,000 x 10% = \$ 4,000 (\$5,000 minimum)

Building Investment: 30,000 sf @ \$50/sf x 2% = \$30,000 or

Jobs Created: 15 jobs @ \$1,000/job = \$15,000

TOTAL COMMISSION: **\$35,000** (since bldg invest is higher than jobs created)

Example 2: (50 jobs, 100,000 sf bldg., 30 acre sale)

Property Sale Value: 30 acres @ \$4,000 x 10% = \$12,000

Building Investment: 100,000 sf @ \$50/sf x 2% = \$100,000 or

Jobs Created: 50 jobs @ \$750/job = \$37,500

TOTAL COMMISSION: **\$112,000** (since bldg invest is higher than jobs created)

Example 3: (170 jobs, 80,000 sf bldg., 40 acre sale)

Property Sale Value: 40 acres @ \$4,000 x 10% = \$16,000

Building Investment: 80,000 sf @ \$50/sf x 2% = \$80,000 or

Jobs Created: 170 jobs @ \$500/job = \$85,000

TOTAL COMMISSION: **\$101,000** (since jobs created is higher than bldg invest)

Example 4: (50 jobs, 70,000 sf bldg., 25 acre lease)

Property Lease: \$0

Building Investment: 70,000 sf @ \$50/sf x 2% = \$70,000 or

Jobs Created: 50 jobs @ \$500/job = \$25,000

TOTAL COMMISSION: **\$70,000** (since bldg invest is higher than jobs created)