

Monday, October 3, 2011

The regular meeting of the Humboldt County Board of Commissioners was called to order on Monday, October 3, 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.

PUBLIC COMMENTS: Chairman Amos asked for public comments. Lynn Trost representing RSVP offered thanks to the Commissioners for their financial support of the program.

DISCUSSION & ACTION ON CORRECTION/APPROVAL OF MINUTES - SEPTEMBER 6, 2011 AND SEPTEMBER 19, 2011: No corrections or amendments offered for the September 6, 2011 meeting minutes. The following motion was made by Commissioner Bell and passed unanimously:

To approve September 6, 2011 as presented by staff.

No corrections or amendments offered for the September 19, 2011 meeting minutes. The following motion was made by Commissioner French and passed unanimously:

To accept September 19th as presented.

ADMINISTRATIVE REPORT:

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

1. Request for adjustments to the Humboldt County Property Tax Roll: Request 11-12-15 was provided to the Board for review. *Recommendation: That the request be approved as recommended by the Assessor and Treasurer.*
2. Authorization of Chairman's signature on contract with State of Nevada, Department of Health and Human Services related to services provided to children with developmental disabilities or related conditions: A copy of the proposed Interlocal Contract Between Public Agencies - A contract between the State of Nevada acting by and through its Department of Health and Human Services Division of Mental Health and Developmental Services and the County of Humboldt was provided to the Board for review. Administrator Deist noted that this is another of the items that the County now pays for as a result of action taken by the 2011 Legislature. *Recommendation: That the Chairman be authorized to sign the contract.*

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

To approve 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 informed the Board that the U.S. Fish and Wildlife Service will be at the next Commission meeting to make a presentation on their comprehensive conservation plan.

MISCELLANEOUS REPORTS AND CORRESPONDENCE:

OTHER INFORMATION AND UPCOMING MEETINGS: Administrator Deist informed the Board that the FAA had contacted City Manager West and informed him that additional funds were being made available for the seal project at the Winnemucca Airport so the only funds required for the City/County were the 5% match; that a meeting had occurred with the BLM and they would not be able to participate in the Dispatch Center Project so the County would be moving forward on their own; that he and Commissioner Fransway had met with Deputy Secretary David Hayes of the Department of the Interior and Neil Cornsey a senior advisor for BLM Director Bob Abbey related to the Pine Forest Wilderness Bill and that they had been impressed with what had occurred with the process and development of the plan; that a proposal related to improvements for the Quinn River TV District had been provided for the Board's review and that the plan is to move forward with the project immediately in an attempt to have the project completed prior to the end of the year and that Paul Burkholder, TV/Communications Director, will attempt to get most of the cost reimbursed through a grant that is currently available. Upcoming meetings and dates of importance were noted.

REPORTS FROM COMMISSIONERS REGARDING OTHER BOARDS AND COMMITTEES

THEY SERVE ON: Commissioner Bell commented on a meeting of the Broadband Committee which he had attended. Commissioner Fransway commented on Administrator Deist's report regarding the Pine Forest Wilderness Bill and concerns voiced related to the ability of the bill to pass as written and the assurances received that the County would be kept in the loop and that Senator Reid's Office would be monitoring the bill as well; he continued reporting on the Nevada Association of Counties annual conference and the Public Lands Committee meeting. Administrator Deist noted that a meeting had occurred between the BLM and Chairman Amos related to wild horse gathers.

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

To accept the expenditures as provided.

REPORT BY COMMISSIONER TOM FRANSWAY REGARDING RECENT PILT FLY-IN TO

WASHINGTON D.C. WHICH HE ATTENDED: Commissioner Fransway reported on a recent trip to Washington D.C. for a meeting with Congressional members and their staffs which he had attended on behalf of a contingency of the National Association of Counties membership. He discussed the purpose of the event which was to show support for the re-authorization of Payment In Lieu of Taxes (PILT) at the current funding level, that meetings had occurred with Both Senator Reid and Senator Heller, that the main message was that PILT was not an earmark but a by-law mandatory spending item, that the re-authorization is not assured but that continued lobbying will occur and that the re-authorization of the Secured Rural Schools program up in 2012 would be linked to the PILT issue and could result in a decision being made in 2012 rather than 2013.

LIQUOR BOARD REVIEW OF A LICENSE APPLICATION FOR THE PILOT TRAVEL CENTER, WHICH HAD A LIQUOR LICENSE UNDER THE FORMER MANAGER'S NAME:

Sheriff Ed Kilgore called the Liquor Board meeting to order at 10:00 a.m. Sheriff Kilgore reviewed a liquor license application for the Pilot Travel Center for new manager Christopher Barker noting three favorable references and his fingerprints being returned by the FBI with no disqualifiers; he stated he would entertain a motion to grant a liquor license to Christopher Barker as the general manager of the Pilot Travel Center. The following motion was offered by Commissioner Fransway was seconded and passed unanimously:

To grant a liquor license to Christopher Barker as the general manager of the Pilot Travel Center.

Sheriff Kilgore adjourned the Liquor Board meeting at 10:01 a.m.

REQUEST FROM LOWRY HIGH SCHOOL FOR A GRANT TO COVER RENTAL OF THE INDOOR EVENTS CENTER FOR GRADUATION:

Chairman Amos disclosed that one of the individuals making this request is his grandson. Present before the Board were Senior Class President Candace Comeau, Senior Class Vice-President Macy Mavity and Senior Class Secretary-Treasurer Gus Duncan. Ms. Comeau spoke in support of a grant of \$1,500.00 to cover the cost for renting the Winnemucca Events Center and for floor installation for graduation. Commissioner French questioned why this could not be a standing budget item rather than requiring a request each year. Commissioner Cassinelli agreed at least for the rental cost. Discussion occurred regarding the amount granted in past years and where in the budget the funds are taken from. Chairman Amos stated that he had no problem with making it a standing item but noted that the amount required may have to be amended at times if the cost changes. The following motion was made by Commissioner French:

To accept this request as a line item in the form of a grant at the rate that is currently being realized by the County.

Administrator Deist noted that the motion deals with two separate issues, that the request is for a grant for this year.

Commissioner French offered the following amended motion:

To accept the grant proposal for this year for a total of \$1,500.00.

Discussion occurred as to whether a motion could be offered regarding making this permanent as that part was not agendized. District Attorney Macdonald stated that the Board could agendize the matter in the future for action or could just direct staff to include the item at budget time. The Board so directed.

APPOINTMENT OF ANDREE ROSE TO THE HUMBOLDT DEVELOPMENT AUTHORITY BOARD AS THE "FINANCIAL SECTOR" REPRESENTATIVE: Provided to the Board for review was a letter from Andree Rose requesting an appointment to the Humboldt Development Authority Board to fill the vacant "financial sector" representative position. Andree Rose appeared before the Board. The following motion was made by Commissioner Cassinelli and passed unanimously:

To appoint Andree Rose to the Humboldt Development Authority Board.

ADOPTION OF A PROCLAMATION DESIGNATING THE MONTH OF OCTOBER AS DOMESTIC VIOLENCE AWARENESS MONTH IN HUMBOLDT COUNTY: Provided to the Board for review was a letter of request from the Winnemucca Domestic Violence Shelter (WDVS) Executive Director JoAnn Casalez and a copy of the proposed proclamation. WDVS Director JoAnn Casalez appeared before the Board and spoke in support of the proclamation; she offered information regarding the program and statistical data for the County related to domestic violence. The following motion was made by Commissioner Cassinelli and passed unanimously:

To adopt the proclamation designating the month of October as Domestic Violence Awareness Month in Humboldt County.

(Resolution No. 10-03-11)

REQUEST FOR A WAIVER TO THE ATTRITION POLICY FOR A VACANT ADMINISTRATIVE CLERK IV IN THE PLANNING DEPARTMENT:

Administrator Deist reviewed the request for waiver of the attrition policy for the Planning Department stating that Dana Toth had left the department to become the Museum's director and as this is only a two person office it is necessary to fill the vacancy. The following motion was made by Commissioner Bell and passed unanimously:

To grant the request for waiver of the attrition policy for the vacant administrative clerk position in the planning department.

PLANNING DEPARTMENT: Betty Lawrence, Senior Planning Technician for the planning department, appeared before the Board.

VH-11-12 - A medical health hardship application submitted by Mary E. Stacy, requesting to allow placement of a second dwelling for her father Neils Smith, so that she may provide him with needed assistance. The property is located at 3030 Mars Avenue; APN #013-457-01: Provided to the Board for review was a copy of the Planning Department Staff Report recommending approval, a copy of the application for medical health hardship including a medical verification, a map of the area and a copy of the Notice of Public Hearing. Mary E. Stacy appeared before the Board. Mrs. Lawrence reviewed the request for the Board noting that the only comment had come from the Star City Property Owners Association related to water service but given the circumstances they had not opposed the application. After discussion the following motion was made by Commissioner Bell and passed unanimously:

To approve VH-11-12 medical health hardship application as presented by staff.

REQUEST FROM DESERT MOUNTAIN SURVEYING AS AGENT FOR PATRICK MORRESSEY TO REQUEST A WAIVER OF CONDITION 6 (RELATED TO DEVELOPMENT STANDARDS FOR PROPERTY WITHIN 1/2 MILE OF THE CITY LIMITS) RELATED TO

PH-11-14: Provided to the Board for review was a letter requesting a hearing before the Board of County Commissioners related to conditions placed on PH-11-14 and a copy of the Planning Department's Status Report. John H. Milton III of Desert Mountain Surveying representing Patrick Morressey appeared before the Board. Mr. Milton detailed the request for the waiver noting that the Mr. Morressey has an eighty acre parcel which he would like to divide into four twenty acre parcels to make it more appropriate for development but at this time, under the present ordinance as this is within 1/2 mile of the City limits, Mr. Morressey would have to put in paved access roads with curbs, gutters and sidewalks for all four parcels. Mr. Milton showed a map of the area to the Board. Commissioner Cassinelli confirmed that if this waiver is approved then when development begins on the twenty acre parcels compliance will occur. Mr. Milton discussed what had occurred at the planning level noting that an eighty acre parcel is just too difficult to develop, that both the Regional Planning Commission and the City Manager were aware of the issue and that it would not be cost effective to develop paved access roads for these parcels at this time. Mrs. Lawrence noted that the requirement for more than an acre does not include curbs and gutters. Discussion occurred regarding the location of the acreage. Mr. Milton noted that even if the waiver is

approved today easements still need to be acquired from the BLM and private property owners to be able to finish the process but they will not proceed with that until they know if the waiver will be granted. Commissioner Fransway asked that even if the Board approves not paving the access roads that they be required to develop access roads up to County standards to the point where it can be paved due to issues with dust. Commissioner Cassinelli again asked if once this is broke down and it begins to develop will the ordinance then kick in. Mr. Milton stated if Mr. Morressey does anymore development it will be in the form of a subdivision or some sort of parceling and that he will not be back before the Board requesting any waivers. Mrs. Lawrence stated that would be a condition of any other parcel map. Discussion occurred regarding the trail currently on the property, the potential for acquiring further land to allow the road to go all the way to Water Canyon and what other properties are owned by this developer. Commissioner Fransway reiterated his request that the property owner make a road ready for pavement and bring them up to County specs just in case. Discussion occurred regarding the cost of that process and the need to meet the criteria if further development occurs and the ground is disturbed. After discussion the following motion was made by Commissioner Bell and passed unanimously:

To approve this with the condition that it is not to be disturbed until such time as it is developed.

REQUEST FROM THE WINNEMUCCA RURAL FIRE DISTRICT (WRFD) TO DISCUSS DEMOLITION OF THE BUILDING ON THE CORNER OF BAUD AND 4TH STREET WHICH WAS DONATED TO HUMBOLDT COUNTY FOR THE BENEFIT OF THE WINNEMUCCA RURAL FIRE DISTRICT AND DISCUSSION OF THE POSSIBILITY OF THE COUNTY TEARING THE STRUCTURE DOWN:

Winnemucca Rural Fire Chief Ron Schrempp, Winnemucca Rural Assistant Fire Chief Torrey Sheen, WRFD Board member Walt Curtis and Winnemucca Rural Fireman Don Valle appeared before the Board. Mr. Sheen addressed the Board regarding the building previously donated to the County for use by the WRFD by Gloria Brown and explained the District's decision that demolishing the building was the best choice due to the cost of bringing the building up to current standards and liability issues. Discussion occurred as to whether the building belonged to the County or to the Fire District. Administrator Deist stated he believed the property was owned by the County. Discussion occurred regarding the Fire District working with the Administrator to handle legal issues including taking the demolition project to bid and the ability of the District to reimburse any associated costs to the County. Mr. Sheen asked about a waiver of landfill costs for demolition debris. Administrator Deist stated that request would need to go to the Landfill Committee. Commissioner

Fransway stated he would not be in favor of the County demolishing the building. Discussion occurred regarding the Fire District and the County working together to publish the required bid notifications and the matter of reimbursement being taken before the Fire District Board. After discussion the following motion was made by Commissioner French:

That the County accept the request for permission to demolish the property located on Baud and Fourth Streets and to authorize the process of preparing the documents for demolition and that Rural Fire will reimburse the County.

Commissioner Fransway questioned at what rate the reimbursement would be made and suggested that the language should be that "Winnemucca Rural Fire accepts the fiscal responsibility". Commissioner French concurred and offered the following modified motion:

That the County accept the request for permission to demolish the property located on Baud and Fourth Streets and to authorize the process of preparing the documents for demolition with Winnemucca Rural fire accepting the fiscal responsibility.

Chairman Amos called the motion to a vote and it passed unanimously. The Board directed Administrator Deist to assist the Fire Department with their Landfill Committee request.

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

REPORT OF PENDING ROAD DEPARTMENT PROJECTS: Superintendent Garrett reported that he had several employees working over the weekend on fire lines around the County and that today the conditions of the roads impacted is being inspected; that standard road maintenance is ongoing on roads including Dutch Flat Road which has been impacted by the potato harvest and Jungo Road in conjunction with Hycroft and Cyanco Road will be worked on once those are complete, that he is working with NDF to schedule the Shelton Lane fencing project, that some guardrails will be done on the North Road in McDermitt with funding from the Federal Tribal Funds and that work on the punch list for the Ruby Pipeline Project is ongoing.

MISCELLANEOUS ROAD RELATED MATTERS: None offered.

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

ADJOURNMENT: Chairman Amos adjourned the meeting at 11:26 a.m.

ATTESTED: J. Speer Clerk APPROVED: Amos Chairman

MEMORANDUM

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

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

1. Request for adjustments to the Humboldt County Real Property Tax Roll: Attached are requests 11-12-15 for your review.

Recommendation: That the requests be approved as recommended by the Assessor and Treasurer.

2. Authorization of Chairman's signature on contract with State of Nevada, Department of Health and Human Services related to services provided to children with developmental disabilities or related conditions: This is another of the items that we now pay for as a result of the 2011 Legislature.

Recommendation: That the Chairman be authorized to sign the contract..

MEMORANDUM

TO: COUNTY COMMISSIONERS
FROM: COUNTY ADMINISTRATOR
DATE: September 28, 2011
SUBJECT: OTHER INFORMATION AND UPCOMING MEETINGS

OTHER INFORMATION:

1. Dispatch Center Project: As you are aware we have been looking at the possibility of building a combined Dispatch Center with the BLM. On September 28, 2011 Sheriff Kilgore and I met with the BLM to discuss where we were at and going forward. Do to direction from both the State and National level it does not appear that the BLM will be able to participate in this project any longer. As a result we will move forward on our own to address just our needs.
2. Pine Forest Wilderness: On September 29, 2011 Commissioner Fransway, I and other members of the working group will be meeting with Deputy Secretary of the Department of the Interior, David Hayes. We will be discussing the process and how these recommendations were arrived at. We will report further at the meeting.
3. Quinn River TV District project: Attached is a proposal for improvements to the District which must be done this fall if we are to continue to provide TV service. This was prepared by Paul Burkholder and he outlines the need to move forward this fall. Unless you direct otherwise we will begin ordering equipment immediately and attempt to have the project completed prior to the end of the year. There is money available to cover these cost in the District and as Paul notes we will attempt to get most of it back through a grant.

UPCOMING MEETINGS:

1. October 5, 2011 Management Team
2. October 11, 2011 Humboldt Development Authority
3. October 13, 2011 Chairman, Administrator meeting with BLM District Manager

4. October 17, 2011

Commission

UNRECORDED