

Monday, December 19, 2011

The regular meeting of the Humboldt County Board of Commissioners was called to order on Monday, December 19, 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. None were offered.

DISCUSSION & ACTION ON CORRECTION/APPROVAL OF MINUTES - NOVEMBER 7, 2011, NOVEMBER 15, 2011, NOVEMBER 21, 2011 AND DECEMBER 5, 2011: Chairman Amos asked for changes or corrections to the November 7, 2011 meeting minutes. None offered. The following motion was made by Commissioner Bell and passed unanimously:

To approve November 7, 2011 minutes as submitted.

Chairman Amos asked for changes or corrections to the November 15, 2011 meeting minutes. None offered. The following motion was made by Commissioner Fransway and passed unanimously:

To approve November 15th as presented.

Chairman Amos asked for changes or corrections to the November 21, 2011 meeting minutes. None offered. The following motion was made by Commissioner Cassinelli and passed unanimously:

To approve.

Chairman Amos asked for changes or corrections to the December 5, 2011 meeting minutes. None offered. The following motion was made by Commissioner French and passed unanimously:

To approve December 5th 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 Adjustment to the Humboldt County Real Property Tax Roll:** Copies of requests 11-12-18 through 11-12-20 were provided to the Board for review. *Recommendation: That the Commission approve the adjustments as recommended by the Treasurer and Assessor.*
2. **Approval of a Resolution authorizing the loan to the McDermitt Fire District:** Administrator Deist noted that NAC 354.290 requires that the Board adopt a resolution to make the temporary loan. A copy of the proposed resolution was provided to the Board for review. *Recommendation: That the Commission adopt the resolution.*

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(Resolution No. 12-19-11)

3. Approval of purchase of improved real property at the corner of Highland Drive and Buckaroo Drive, Winnemucca, Nevada (APN 016-335-01) by the Board of Trustees of the Humboldt County Hospital District for the sum of \$285,000.00: It was noted that NRS 450.675 allows the Hospital Board to acquire real property with the approval of the Board of County Commissioners. A letter from the Hospital's legal counsel explaining the purpose of the purchase and the process was provided to the Board for review (see attached). *Recommendation: That the Commission approve the purchase of the property by the Board of Trustees of the Humboldt County Hospital District.*

Commissioner Bell disclosed for the record that he is employed by Humboldt General Hospital but will be participating in any discussion and action on item 3. 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.

PUBLIC LANDS PLANNING MATTERS & FORMULATION OF COUNTY POSITION ON BLM, FOREST SERVICE AND THE FEDERAL FISH AND WILDLIFE SERVICE PROPOSED

ACTIONS: Administrator Deist stated that he had nothing on this item.

MISCELLANEOUS REPORTS AND CORRESPONDENCE:

OTHER INFORMATION AND UPCOMING MEETINGS: Administrator Deist informed the Board that a copy of the resolution passed by the Western Nevada Development District accepting Humboldt County as a member had been received and that will now be presented to the Economic Development Authority and if that group concurs then the County will be a member of the organization; he also informed the Board that Elko County would be having a hearing with Congressman Amodei related to travel management and that an invitation from Elko's Commission had been received for the Board to attend and show their support. Upcoming meetings and dates of importance were noted.

REPORTS FROM COMMISSIONERS REGARDING OTHER BOARDS AND COMMITTEES

THEY SERVE ON: Commissioner Fransway informed the Board about a ruling handed down by the Ninth Circuit related to the Smoke Creek Allotment and its effects on permittees and the potential that WIR may take action. Discussion ensued regarding the issue.

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

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To approve expenditures of County funds as presented by staff.

CDBG PUBLIC HEARING ON 2012 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM - CONSIDERATION, PRIORITIZATION, RANKING:

A copy of a CDBG 2012 application for the McDermitt General Improvement District Mapping and Master Plan and a copy of the Notice of Public Hearing were provided to the Board for review. Brenda Willey, County Administrative Assistant, appeared before the Board to present the application for consideration. Barbara Ferguson and Gary Wilson appeared before the Board on behalf of the McDermitt General Improvement District. Kirk Swanson, Senior Hydrologist for Farr-West Engineering also appeared before the Board. Ms. Willey reviewed the application for the Board and noted that the Board would need to determine at this time whether or not to move forward with this project. Mr. Wilson explained the need for the project in relation to the McDermitt Water/Sewer system. Barbara Ferguson, Chairman of the McDermitt GID Board, detailed the reasons for the project from the Board's perspective. Mr. Swanson spoke in support of the application noting the need to proceed for public health and the need to keep the project affordable; he discussed the purpose, the benefits and how the mapping would work and appear. Commissioner Cassinelli stated that the project looked like a good idea. Commissioner Bell concurred. Mr. Wilson discussed the installation of new water meters including the cost, the benefits and the need to look towards the future. Discussion occurred regarding the mapping of wastewater. After discussion the following motion was made by Commissioner Fransway and passed unanimously:

To support the request from McDermitt GID for district water/wastewater mapping and master plan development and this will be Humboldt County's number one priority for funding for year 2012.

Discussion occurred regarding the CDBG process.

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

DISCUSSION OF THE 911 SURCHARGE ORDINANCE: Sheriff Kilgore reviewed the history of the issue and the process being used by the 911 Committee to create a five year plan including the fees and costs; he requested the County Commission's authorization to work with the District Attorney to create an ordinance. Discussion ensued. Administrator Deist stated that no motion was required for this item. Chairman Amos stated that the Sheriff had the Board's blessing to proceed. Discussion occurred as to the costs and other Counties proceeding with the project.

LIQUOR BOARD - AN APPLICATION OF A NEW LIQUOR LICENSE APPLICANT FOR THE PILOT TRAVEL CENTER (WHOSE FORMER LICENSE HOLDER RECENTLY RESIGNED):

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Sheriff Kilgore called the Liquor Board to order at 10:07 a.m. Sheriff Kilgore presented the application for the Pilot Travel Center's new manager including a review of the application, the background check and the referrals received; he recommended approval. The following motion was made by Commissioner Bell and passed unanimously:

To approve the application for a liquor license for Miss Pinnell for the Pilot Travel Center.

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

DISCUSSION OF THE OVERTIME BUDGET FOR THE SHERIFF'S OFFICE: Sheriff Kilgore addressed the Board noting his concerns with his overtime budget at the half way point of the current fiscal year; he reviewed the reasons for the overtime in both the patrol and detention center budgets. Chairman Amos asked the Sheriff to keep tabs on the situation. Administrator Deist discussed the status of the budget as a whole. Commissioner Fransway commented on issues with and the need to do something about ATVs on the streets. Chairman Amos suggested the matter be placed on the retreat agenda.

PRESENTATION BY FRONTIER COMMUNITY ACTION AGENCY AND LOST & FOUND IN AMERICA REGARDING TRANSITIONAL HOUSING AND POSSIBLE PROGRAM IN HUMBOLDT COUNTY: Normand Cartier of Lost & Found in America, Alaine Nye of the Frontier Community Action Agency and the Honorable Michael R. Montero appeared before the Board. Ms. Nye discussed the need for transitional housing in the community. Judge Montero discussed his support of this type of program in Humboldt County and how he would like to use it in the Court system, the attempts by the District Court to obtain grant funding for the program, his support of the use of houses already owned by the County for the program and the need to start the dialog to implement the program. Administrator Deist noted that the matter is being brought before the Board today to expose them to the concept and that the issue can be brought back in the future for specific requests. Mr. Cartier addressed the Board regarding the documentary related to Lost & Found in America, the mission of the project, what transitional housing is, who it helps, the length of stays, the percentage of success and the specifics of the program; he discussed the County owned buildings that were being looked at. Chairman Amos noted that due to time constraints this matter would need to come back for further discussion and thanked the presenters.

INVITATION TO BE A COOPERATING AGENCY IN THE PREPARATION OF THE GREATER SAGE GROUSE LAND USE PLAN AMENDMENT/ENVIRONMENTAL IMPACT

STATEMENT: A copy of a letter from Rex McKnight, Acting State Director of the Nevada Bureau of Land Management inviting the Board of Humboldt County Commissioners to be a cooperating agency in the preparation of the Greater Sage Grouse Land Use Plan Amendment/Environmental Impact Statement was provided to the Board for review. Administrator Deist commented on the importance of the sage grouse issue and offered the recommendation that the Board accept the invitation to be a cooperating agency. After discussion the following motion was made by Commissioner Fransway and passed unanimously:

To accept the invitation from the Bureau of Land Management and the US Forest Service for Humboldt County to assume status of cooperating agency in preparation for the Greater Sage Grouse Land Use EIS.

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

REVIEW AND POSSIBLE RENEWAL OF THE ROAD MAINTENANCE AGREEMENT WITH NEWMONT FOR THE MIDAS ROAD: A copy of the proposed Road Maintenance Agreement between Humboldt County and Newmont Mining Inc. for Midas Road and a memo from the Road Superintendent recommending approval of the agreement as the current agreement is due to expire January 1, 2012 were provided to the Board for review. Superintendent Garrett detailed the proposed agreement which will expire in January of 2017 for the Board. The following motion was made by Commissioner Cassinelli and passed unanimously:

To renew the five year agreement with Newmont for the Midas Road.

REVIEW AND POSSIBLE RENEWAL OF THE ROAD MAINTENANCE AGREEMENT WITH HYCROFT FOR THE JUNGO ROAD: Superintendent Garrett explained that the current agreement with Hycroft had been entered for one year and was due to expire in August of 2012; he recommended that a five year agreement be entered with Hycroft to expire at the same time as Newmont's; he noted that Hycroft has agreed to the extension. A Hycroft representative commented from the audience his support for the agreement. The following motion was made by Commissioner Bell and passed unanimously:

To approve the road maintenance agreement with Hycroft for a period of five years for Jungo Road to begin January 1st.

REQUEST FROM A.L. BRINKOETTER TO HAVE TREES ALONG WESTMORELAND ROAD PRUNED: A copy of a letter from A.L. Brinkoetter regarding a serious problem with tree branches overhanging Westmoreland Road and trucks hitting the branches was provided to the Board for review.

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A.L. Brinkoetter appeared before the Board and explained and spoke in support of his request to have approximately twenty Russian Olive trees which overhang Westmoreland Road/right-of-way pruned back. Superintendent Garrett addressed the Board and stated that he had inspected the area and did not see an issue; he noted potential legal issues as the trees are on the field side of the fence and commented that in the past, with this type of situation, the Board had directed that he send a letter to the property owner so if the Board feels there is an issue he could do that. Commissioner Cassinelli commented that if the past direction had been to notify the owner it should be done the same way this time so as not to create a precedence. Commissioner French confirmed that Superintendent Garrett did not believe there was an issue. Superintendent Garrett stated not at this time and discussed the current situation. Commissioner Bell asked if it would be prudent to send a letter to the property owner at this time. Superintendent Garrett stated that could be done. The following motion was made by Commissioner Bell and passed unanimously:

To send a letter to the property owner asking that they take a look at the trimming the trees up.

REQUEST FROM A.L. BRINKOETTER FOR SUPPORT TO HAVE A "BLEND LANE" INSTALLED AT THE INTERSECTION OF REINHART LANE AND HIGHWAY 95: Provided to

the Board for review was a letter from A.L. Brinkoetter detailing his request for the Commissioners' support of a "blend lane" being installed at the intersection of Reinhart Lane and US 95. Mr. Brinkoetter addressed the Board and explained the request including the issues for large trucks entering US 95 from a dead stop on Reinhart ; he noted that he had discussed the issue with Dave Lindeman from the Nevada Department of Transportation and Mr. Lindeman had explained the need for Commission support for the project. Commissioner Cassinelli commented that there had been past discussion related to this and that it had never been pursued but it was needed. Dave Lindeman of the Nevada Department of Transportation addressed the Board and discussed what had occurred in the past; he suggested that the matter be handled in the same manner as the acceleration lane for SR 140/US 95; he discussed issues with the amount of right-of-way available and possible solutions to the issue. Discussion occurred regarding the right-of-way issue, the possibility of submitting the project as a STIP and/or a safety project. After discussion the following motion was made by Commissioner Fransway:

That staff work with NDOT to address the "blend lane" on Reinhart and 95 and that the Commission requests NDOT to go to the engineer and address a potential problem.

Discussion occurred regarding whether a letter of support was needed at this point.

Commissioner Bell noted that the consensus of the Board is to support the project. Chairman Amos called Commissioner Fransway's motion to a vote and it passed unanimously.

REQUEST FROM A.L. BRINKOETTER TO ESTABLISH WESTMORELAND ROAD AS A PERMANENT INDUSTRIAL BYPASS ROAD WITH REQUIREMENTS THAT THE SPEED LIMIT REMAIN 45 MPH, THAT ANY ZONING ON WESTMORELAND ROAD INCORPORATE SINGLE INGRESS/EGRESS FOR DUAL LOTS AND/OR SUBDIVISIONS, AND THAT THE ROADWAY CONTINUE TO BE FENCED AS IT IS NOW:

A letter from A.L. Brinkoetter detailing his request had been provided to the Board for review. A.L. Brinkoetter appeared before the Board. Commissioner Cassinelli noted that was the way it has always been and questioned if someone is trying to change it. Commissioner Fransway noted action taken by the County Commission in 1996 to add a stipulation on the parcel map for the area to create shared access, so that is in place, that he had discussed the matter with the Planning Department and had been assured that any future development along the road will be shared access and he commented on action taken in the past related to Jungo Road due to access issues. Superintendent Garrett discussed the road designations used, that Westmoreland is designated a "main" road, that there are no truck restrictions on the road and that the Planning Commission requires the common driveways on the property lines when considering subdivisions and parcel splits. After discussion the Board agreed that everything is already in place.

ESTABLISHMENT OF THE 2012 STIP SUBMITTALS AND PRIORITIZATION OF THE

SAME: Provided to the Board for review was a memo detailing the prior years submissions and the status of all projects (see attached). Superintendent Garrett reviewed the prior year's list for the Board and the status of the SR140/US 95 acceleration lane (completed November of 2011), the redesign of 173 interchange on I-80 (placed in NDOT's annual work plan) and the Eden Valley Bridge #1658 (qualified for Federal Highway Bridge Replacement Funding with a target construction date of 2014). Superintendent Garrett recommended leaving the Eden Valley Bridge project on the list to show that is on the radar; he noted that a representative from Hycroft is here in support of the Jungo Road project. Discussion occurred regarding the Jungo Road Gravel Project (#3 on the prior year's list), the Jungo Road Pavement Extension (#4 on the prior year's list), the Ramp #173 project (#1 on the prior year's list) and the successful completion of the SR140-US 95 acceleration lane project (co-#1 on the prior year's list). Superintendent Garrett recommended that the Bridge Project and the Jungo Project remain high on the list and suggested that the US 95/Reinhart Lane Project be added to the list. Commissioner Fransway suggested that the US 95/Reinhart Lane project be ranked near the Eden Valley Bridge Project.

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Administrator Deist suggested that the Board take some time to think about the matter as it will be brought back for official action at a later date. Warren Woods, representing Hycroft Mining and Resources offered comment on the current mining operations and future plans and stated his support for anything that can be done on Jungo Road to improve the safety. Commissioner Bell commented on the significant traffic increase on the road and the need to look at improvements. Chairman Amos tabled the matter until January. Superintendent Garrett commented on what helps to elevate a ranking with the State.

REPORT OF PENDING ROAD DEPARTMENT MATTERS: Superintendent Garrett informed the Board that the road crews had went on 8 hour/5 day work weeks following Thanksgiving, he updated the Board on the status of the bookmobile repairs, issues with the steam cleaner and the possibility of having to purchase a new one, ongoing crack sealing, grading, the status of work by the BLM in the Knott Creek area and Soldier Meadows and that the work on the Ruby Pipeline punch list is ongoing.

MISCELLANEOUS ROAD RELATED MATTERS: None offered.

PRESENTATION BY WES HENDERSON, DEPUTY DIRECTOR NEVADA ASSOCIATION OF COUNTIES (NACO), REGARDING THE CONTINUITY OF GOVERNMENT DURING AND AFTER EMERGENCIES: NACO Deputy Director Wes Henderson addressed the Board regarding the continuity of government during and after emergencies and then discussion occurred.

Chairman Amos recessed the meeting for lunch to reconvene at 1:30 p.m.

PLANNING MATTERS: Betty Lawrence, Senior Planning Technician for the Planning Department, appeared before the Board.

SET TO PUBLIC HEARING RH-10-08 - A rezone application submitted by Desert Mountain Surveying on behalf of Robert D. Stitser to change zoning from RR-1.25 AH (Rural Ranchette - 1.25 acres minimum lot size with an Airport Hazard Combining District Overlay) to RR-20 PD AH (Rural Ranchette - 20,000 square foot minimum lot size with Planned Development and Airport Hazard Combining Overlays); to change the zoning from NC-R AH (Neighborhood Commercial with an Airport Hazard Combining District Overlay) to NC-R PD AH (Neighborhood Commercial with Development and Airport Hazard Combining District Overlays); to change the zoning from M - 1 MHP AH (Industrial with a Mobile Home Park and Airport Hazard Combining District Overlay) to M - 1 PD AH (Industrial with a Planned Development and Airport Hazard Combining District Overlays). These changes will affect four (4) parcels (approximately 50.51 acres) located on West Rose Creek between Pine Street and Sandhill Circle; Assessor's Parcel Numbers 013-111-01,

013-111-02, 013-111-03 and 013-112-01: Chairman Amos read the title of the matter to be set to public hearing. Commissioner Fransway asked for clarification from legal counsel regarding allowing multiple changes with one ordinance. District Attorney Macdonald stated that it was allowable per NRS. John H. Milton, III of Desert Mountain Surveying appeared before the Board representing the applicant and stated that the application is being withdrawn and so there would be no need to set the matter to public hearing.

SET TO PUBLIC HEARING TH-11-02 - A text amendment to Chapter 17.10 General Provisions of the Humboldt County Code to correct yard requirement designations to reflect yard requirement designations in Chapter 17.23: Chairman Amos read the title of the matter to be set to public hearing. The following motion was made by Commissioner Bell and passed unanimously:

To set to public hearing TH-11-02.

SET TO PUBLIC HEARING TH-11-03 - A text amendment to Chapter 17.12 Residential District Provisions of the Humboldt County Code to amend home occupations to reflect home based businesses; home occupation to reflect home based business; special use permit to reflect conditional use permit: Chairman Amos read the title of the item to be set to public hearing. The following motion was made by Commissioner Cassinelli and passed unanimously:

To set to public hearing TH-11-03.

SET TO PUBLIC HEARING TH-11-04 - A text amendment to Chapter 17.20 AG District of the Humboldt County Code to add recreational vehicles as a permitted use with the re-lettering to reflect the addition of recreational vehicles; amend home occupations to reflect home based businesses: Chairman Amos read the title of the item to be set to public hearing. The following motion was made by Commissioner Cassinelli and passed unanimously:

To set to public hearing TH-11-04.

SET TO PUBLIC HEARING TH-11-05 - A text amendment to Chapters 17.23 RR District; 17.24 R-1 District; 17.26 R-3 District and 17.50 MHP District of the Humboldt County Code to amend home occupation to reflect home based business: Chairman Amos read the title of the item to be set to public hearing. The following motion was made by Commissioner Bell and passed unanimously:

To set to public hearing TH-11-05.

SET TO PUBLIC HEARING TH-11-06 - A text amendment to Chapter 17.28 NC-R District of the Humboldt County Code to amend the ordinance to delete bars from permitted uses and re-letter to reflect the removal of bars; amend home occupations to reflect home based businesses: Chairman Amos read the title of the item to be set to public hearing. After discussion the following motion was

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made by Commissioner French and passed unanimously:

To set to public hearing TH-11-06.

SET TO PUBLIC HEARING TH-11-07 - A text amendment to Chapter 17.30 GC District of the Humboldt County Code to add "or structures" to item H under conditional uses: Chairman Amos read the title of the item to be set to public hearing. The following motion was made by Commissioner Bell and passed unanimously:

To set to public hearing TH-11-07.

SET TO PUBLIC HEARING TH-11-08 - A text amendment to Chapter 17.44 M - 3 District of the Humboldt County Code to add recreational vehicles as a permitted use and re-letter to allow for the addition of recreational vehicles; to amend home occupations to reflect home based businesses: Chairman Amos read the title of the item to be set to public hearing. After discussion following motion was made by Commissioner French and passed unanimously:

To set to public hearing TH-11-08.

SET TO PUBLIC HEARING TH-11-09 - A text amendment to Chapter 17.48 PD District to the Humboldt County Code to amend general plan to reflect master plan: Chairman Amos read the title of the item to be set to public hearing. The following motion was made by Commissioner French and passed unanimously:

To set to public hearing TH-11-09.

SET TO PUBLIC HEARING TH-11-10 - A text amendment to Chapter 17.54 Manufactured Home Siting Criteria of the Humboldt County Code to change TR to MH: Chairman Amos read the title of the item to be set to public hearing. The following motion was made by Commissioner Cassinelli and passed unanimously:

To set to public hearing TH-11-10.

SET TO PUBLIC HEARING TH-11-11 - A text amendment to Chapter 17.56 S Outdoor Advertising District of the Humboldt County Code to change "C" to Commercial and "M" to Industrial; remove (C) and (M): Chairman Amos read the title of the item to be set to public hearing. The following motion was made by Commissioner Cassinelli and passed unanimously:

To set TH-11-11 to public hearing.

SET TO PUBLIC HEARING TH-11-12 - A text amendment to Chapter 17.60 Off Street Parking and Loading regulation of the Humboldt County Code to amend fifteen square feet to reflect 150 square feet: Chairman Amos read the title of the item to be set to public hearing. After discussion the

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following motion was made by Commissioner French and passed unanimously:

To set to public hearing TH-11-12.

SET TO PUBLIC HEARING TH-11-13 - A text amendment to Chapter 17.68 Conditional Use Permits of the Humboldt County Code to remove county: Chairman Amos read the title of the item to be set to public hearing. The following motion was made by Commissioner Bell and passed unanimously:

To set to public hearing TH-11-13.

SET TO PUBLIC HEARING TH-11-14 - A text amendment to Chapter 17.70 Amendment to title of the Humboldt County Code to amend general plan to reflect master plan; to add 30 different property owners for public hearing notification: Chairman Amos read the title of the item to be set to public hearing. After discussion the following motion was made by Commissioner French and passed unanimously:

To set to public hearing TH-11-14.

SET TO PUBLIC HEARING TH-11-15 - A text amendment to Chapter 16.04 General provisions of the Humboldt County Code to amend general plan to reflect master plan: Chairman Amos read the title of the item to be set to public hearing. The following motion was made by Commissioner Cassinelli and passed unanimously:

To set TH-11-15 to public hearing.

SET TO PUBLIC HEARING TH-11-16 - A text amendment to Chapter 16.08 Definitions of the Humboldt County Code to amend general plan to reflect master plan: Chairman Amos read the title of the item to be set to public hearing. The following motion was made by Commissioner Cassinelli and passed unanimously:

To set TH-11-16 to public hearing.

Tom Brissenden offered public comment and requested that an explanation in layman terms of the items set to public hearing be put out to the public. Discussion occurred regarding the manner in which public hearings are noticed and the availability of the Planning Department Staff Reports explaining the items. Discussion occurred based on questions from Mr. Brissenden regarding TH-11-06 and TH-11-14 and the impact on property owners. Dave Selesnick offered public comment and asked if a representative from the RPC would be present at the public hearings. Administrator Deist noted that Planning Department staff would be present. Discussion occurred based on questions by Mr. Selesnick regarding TH-11-11.

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CLERK'S OFFICE: County Clerk Tami Rae Spero appeared before the Board.

RE-APPOINTMENT OF MIKE SHEPPARD, GARY BENGOCHEA AND RICH STONE TO THE BOARD OF EQUALIZATION AND ACCEPTANCE OF THE RECOMMENDATION OF CHAIRMAN AMOS THAT MR. STONE SERVE AS CHAIRMAN:

Chairman Amos offered his agreement that Mr. Stone continue in his capacity as Chairman of the Board of Equalization. After discussion the following motion was made by Commissioner Fransway and passed unanimously:

To re-appoint Mike Sheppard, Gary Bengochea and Rich Stone to the Board of Equalization and upon the recommendation of the Chair to appoint Rich Stone as acting Chairman.

REQUEST FOR PRE-AUTHORIZED OVERTIME FOR THE COURT CLERK (20 HOURS) AND THE INDIGENT COORDINATOR (10 HOURS) TO COVER THE PERIOD OF JANUARY 2012 THROUGH JUNE 2012:

Administrator Deist noted that this is a standard request received from the Clerk this time of year. The following motion was made by Commissioner Cassinelli and passed unanimously:

To approve pre-authorized overtime for the Court Clerk 20 hours and the Indigent Coordinator 10 hours.

DISTRICT ATTORNEY'S OFFICE: District Attorney Michael Macdonald appeared before the Board. **AUTHORIZATION FOR DA TO EXECUTE A 36 MONTH CONTRACT WITH WEST FOR WESTLAW NEXT ONLINE LEGAL RESEARCH FOR THE DISTRICT ATTORNEY'S OFFICE:**

District Attorney Macdonald spoke in support of the request detailing the length of the contract, the cost and the benefits; he requested the Board's authorization to enter the contract. Discussion occurred related to the contract length. The following motion was made by Commissioner Fransway and passed unanimously:

To authorize the District Attorney to enter a thirty six month contract with West for Westlaw Next Online Legal Research.

REQUEST FOR WAIVER OF THE ATTRITION POLICY FOR DEPUTY DISTRICT ATTORNEY POSITION:

District Attorney Macdonald explained that Deputy District Attorney Joel Taylor would be leaving the office in January and that he is still in the process of filling another Deputy vacancy so, if during the interview process for that position, he should find an individual for this position he would like to be able to pursue filling the position; he discussed the duties assigned to the Deputy position. The following motion was made by Commissioner Bell and passed unanimously:

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That the Commission approves the waiver of the attrition policy for the Deputy District Attorney position.

REQUEST FOR WAIVER OF THE ATTRITION POLICY FOR LEGAL SECRETARY 1

POSITION: District Attorney Macdonald explained that legal secretary Annette Petro had moved over to Justice Court and spoke in support of the request including detailing the duties of the position. The following motion was made by Commissioner Cassinelli and passed unanimously:

To waive the attrition policy for the legal secretary for the District Attorney's Office.

2012 RETREAT PLANNING INCLUDING PROGRESS ON 2011 DIRECTION, 2012 LOCATION, DATE, AGENDA ITEMS AND MATTERS RELATED THERETO:

Administrator Deist indicated that the tentative day for the retreat is January 30th; he reviewed what had occurred at the prior year's retreat. The Board agreed that they wanted to do a retreat. Discussion occurred regarding the location. The Board concurred that the retreat should take place in the Winnemucca area on January 30th; items suggested for discussion included employee benefits, sound system for meeting room, budget, road issues, an overview of the negotiation process, planning issues and special district boards. Administrator Deist noted concerns about discussing any negotiable items relating to employee benefits.

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

ADJOURNMENT: Chairman Amos adjourned the meeting at 2:37 p.m.

ATTESTED:



Clerk

APPROVED:



Chairman

MEMORANDUM

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

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

1. Request for Adjustment to the Humboldt County Real Property Tax Roll: Attached are requests 11-12-18 through 11-12-20 for your review.

Recommendation: That the Commission approve the adjustments as recommended by the Treasurer and Assessor.

2. Approval of a Resolution authorizing the loan to the McDermitt Fire District: NAC 354.290 requires that we adopt this resolution to make the temporary loan.

Recommendation: That the Commission adopt the attached resolution.

3. Approval of purchased of improved real property at the corner of Highland Drive and Buckaroo Drive, Winnemucca, Nevada (APN 016-335-01) by the Board of Trustees of the Humboldt County Hospital District for the sum of \$285,000.00: NRS 450.675 allows the Hospital Board to acquire real property with the approval of the Board of County Commissioners. Attached is a letter from the Hospital Legal Counsel explaining the purpose of the purchase and the process.

Recommendation: That the Commission approve the purchase of this property by the Board of Trustees of the Humboldt County Hospital District.

MEMORANDUM

TO: COUNTY COMMISSIONERS
FROM: COUNTY ADMINISTRATOR
DATE: December 14, 2011
SUBJECT: OTHER INFORMATION AND UPCOMING MEETINGS

OTHER INFORMATION:**UPCOMING MEETINGS:**

1. December 20 -23, 2011 Administrator Annual Leave
2. December 26, 2011 County Holiday
3. January 2, 2012 County Holiday
4. January 3, 2012 Commission

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HAND DELIVERED

December 12, 2011

Mr. Bill Diest
Humboldt County Administrator
Humboldt County Courthouse
25 W. Fifth Street, Room 205
Winnemucca, Nevada 89445

Re: Hospital district property purchase

Dear Bill:

The Board of Trustees of the Humboldt County Hospital District is negotiating with the owner thereof and intends to purchase a parcel of property with a duplex situated thereon at the corner of Buckaroo Drive and Highland Drive in Winnemucca, Nevada to be used by the Hospital for housing health care professionals while they serve at the Hospital. Currently, the District expends several thousand dollars a year for rental of temporary housing and accommodations for various health care professionals who make it possible for the Hospital to offer an expanded range of medical services to the city and county residents which would otherwise be unavailable. It is anticipated the District will realize a savings in the housing and accommodation costs they incur by providing District-owned housing.

Pursuant to NRS 450.675, the Hospital Board of Trustees may, by resolution, acquire real property for the expansion of the hospital with the approval of the Board of County Commissioners. The Hospital Board authorized the Hospital Administrator and Legal Counsel to pursue the purchase of the subject property at the appraised value thereof. The appraisal was received, the appraised price will be the offered price, and it is anticipated the transaction will close, subject to compliance with law and all purchase conditions.

I request that the property purchase approval be placed on the December 19, 2011 County Commission meeting agenda. It is my thought that this matter can be handled under the Administrator's portion of the meeting agenda or the consent agenda. I suggest the agenda item read something similar to the following:

"Discussion and action on approval of purchase of improved real property at the corner of Highland Drive and Buckaroo Drive, Winnemucca, Nevada (APN 016-335-01) by the Board of Trustees of the Humboldt County Hospital District for the sum of \$285,000.00."

It is anticipated the Hospital Board will adopt the resolution summarizing the relevant facts concerning the purchase of the property and at that time the sale will be completed. If you have any questions relating to this matter, please contact me to discuss. Thank you.

Sincerely,

O. Kent Maher
Humboldt County Hospital District Legal Counsel

OKM/ec

xc: Hospital Administrator (via email)
Humboldt County District Attorney (via email)

COPY

MEMORANDUM

TO: COUNTY COMMISSIONERS
FROM: COUNTY ADMINISTRATOR
DATE: December 14, 2011
SUBJECT: OTHER INFORMATION AND UPCOMING MEETINGS

OTHER INFORMATION:**UPCOMING MEETINGS:**

1. December 20-23, 2011 Administrator Annual Leave
2. December 26, 2011 County Holiday
3. January 2, 2012 County Holiday
4. January 3, 2012 Commission

To: County Commissioners
From: Ben Garrett, Road Superintendent
Date: December 9, 2011
Subject: Possible STIP Submittals for 2012

The current deadline for submittals for projects under STIP is due mid March, 2012. We have submitted seven projects under this program in the past. SR 140-US 95 acceleration lane was completed in November of 2011. All of the Humboldt County projects submitted received scores in the 2011 process, but did not rank high enough for construction consideration. The redesign of the intersection at I-80 exit #173 has been placed in NDOT's annual work plan as a long range element, but the safety audit/assessment has been completed and a solution identified. In 2011 the Humboldt County Board of Commissioners rated the 173 interchange and SR 140-US 95 intersection as top priorities along with the Eden Valley Bridge.

The following are the projects previously submitted in the Humboldt County Board of Commissioners rankings:

1. **Ramp#173: Redesign of 173 Interchange on I-80.** This project would provide a much better access to the Airport Industrial Park and accommodate future growth. Approximately 1200 feet of Rose Creek Road would be eliminated. Traffic speeds will be reduced and sight distance increased. The truck stop has increased traffic counts, but the exact numbers are uncertain until NDOT completes the traffic study. This project has been placed in NDOT's annual work plan.
1. **SR140-US95:** Construction of an acceleration lane at the intersection of SR 140 and US 95. This project is a safety improvement to allow truck traffic traveling south from the SR 140-US 95 junction to gain sufficient speed to merge with the traffic on US 95. The project received a score of 45.55 and qualified for the High Category. (Completed)
2. **Eden Valley Bridge #1658:** Construct a replacement bridge across the Humboldt River near Golconda. The current bridge has deteriorated with a usable life span of approximately 12-14 years. The bridge did not rank as a top project in the STIP process in 2011, however did qualify for Federal Highway Bridge Replacement Funding. An agreement is in place between NDOT and Humboldt County for construction. The project is in design with a target construction date of 2014.