

Tuesday, January 3, 2012

The regular meeting of the Humboldt County Board of Commissioners was called to order on Tuesday, January 3, 2012, 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 - DECEMBER 19, 2011 AND DECEMBER 14, 2011 - SPECIAL MEETING: Administrator Deist stated that the December 19, 2011 meeting minutes were not available. Chairman Amos asked for changes or corrections to the December 14, 2011 meeting minutes. None offered. The following motion was made by Commissioner Bell and passed unanimously:

To approve the December 14, 2011 meeting minutes as presented.

FIX THE TERM OF THE CHAIR AND VICE CHAIR: Administrator Deist reviewed the purpose of this item. The following motion was made by Commissioner Cassinelli and passed unanimously:

To leave the term at one year for the chair and one year for vice-chair.

ELECTION OF CHAIRMAN: Commissioner Cassinelli nominated Mike Bell the current Vice Chairman to serve as Chairman. The following motion was made by Commissioner Cassinelli and passed unanimously:

To nominate Mike Bell to serve as Chairman.

ELECTION OF VICE CHAIRMAN: Commissioner Cassinelli nominated Jim French to serve as Vice Chairman. The following motion was made by Commissioner Cassinelli and passed unanimously:

To nominate Jim French to serve as Vice Chairman.

Chairman Amos turned the meeting over to newly elected Chairman Mike Bell.

ANNUAL SERVICE AWARDS PRESENTATION TO COUNTY OFFICIALS AND EMPLOYEES: Chairman Bell presented the following employees with their service awards:

45 YEAR AWARD - Library - Sheri Allen

40 YEAR AWARD - Assessor's Office - Linda Fetters

25 YEAR AWARD - Road Department - Louis "Jim" Philipini (not present)

20 YEAR AWARD - Assessor's Office - Merlene Wambolt
County Clerk's Office - Dolores Shields (not present)
District Court - Kathy Brumm (not present)

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Juvenile Department - Betty Roeder
 Road Department - Lane Floyd (not present)
 Sheriff's Office - Carrie Uriguen (not present)

15 YEAR AWARD - Buildings & Grounds - Steve Ballew (not present)
 Administrator's Office - Brenda Willey
 County Clerk's Office - Tami Rae Spero (2008)
 County Clerk's Office - Elizabeth "Carmen" Smock
 District Court - Paige Brown (not present)
 Juvenile Department - Candace Cox
 Juvenile Department - Craig Tippens (not present)
 Road Department - Robert Fetic (not present)

10 YEAR AWARD - Sheriff's Office - Kathy Green (not present)
 Sheriff's Office - Rae Ellen Lueptow (not present)
 Sheriff's Office - Jodie Huitt (not present)

5 YEAR CERTIFICATE - Convention Center - Darrel Field
 Convention Center - Michelle Noble
 Juvenile Department - Sandra Gleixner (not present)
 Juvenile Department - Shannon Pirkle (not present)
 Sheriff's Office - Jim Loveless (not present)
 Sheriff's Office - Victor Castenada (not present)
 Sheriff's Office - Randy Close
 Sheriff's Office - Dale Dyer (not present)
 Winnemucca Rural Fire Dept. - Ron Schrempp (not present)

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: Requests 11-12-21 through 11-12-25 were provided to the Board for review. *Recommendation: That the Commission approve the adjustments as recommended by the Treasurer and Assessor.*
2. Approval of Water Distribution Budgets for 2012-2013 season: Copies of the budgets as prepared by the State Engineer were provided to the Board for review and certification as required by NRS 533.285. *Recommendation: That the Commission certify the Water Distribution Budgets as presented and authorize the Clerk to sign the certification.*

Discussion occurred regarding increases in the Water Distribution Budgets. 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.

MISCELLANEOUS REPORTS AND CORRESPONDENCE:

OTHER INFORMATION AND UPCOMING MEETINGS: Upcoming meetings and dates of importance were noted for the Board.

REPORTS FROM COMMISSIONERS REGARDING OTHER BOARDS AND COMMITTEES

THEY SERVE ON: None offered.

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

To approve the claims for expenditures of County funds as presented.

DETERMINATION OF COMMISSION ASSIGNMENTS: Administrator Deist reviewed the current Commission assignments. Commissioner Fransway informed the Board that due to SB 251, a bill passed in the 2011 Legislature, he could only serve as a Governor's appointee on one State Board and he is had been appointed to the State Board of Transportation and the State Land Use Planning Advisory Council (SLUPAC) so he would be resigning his appointment to SLUPAC and would like an item placed on the next agenda to appoint another member of the Commission. Administrator Deist stated that he would contact State Lands to find out how to proceed. Discussion occurred regarding the other Commission assignments and the Commissioners agreed to remain in their current positions. The following motion was made by Commissioner Fransway and passed unanimously:

That the Board retains their assignments as in 2011 for 2012 with the exception of State Land Use Planning Advisory Council.

REQUEST FROM YOUTH AND FAMILY SERVICES FOR A WAIVER TO THE ATTRITION POLICY FOR A POSITION ASSIGNED TO THE DETENTION CENTER AS WELL AS WORK CREW SUPERVISOR WHICH IS CURRENTLY VACANT:

Ed Sampson, Chief Juvenile Probation Officer, appeared before the Board and spoke in support of the request for a waiver to the attrition policy for a position assigned to the detention center as well as work crew supervisor. After discussion the following motion was made by Commissioner French and passed unanimously:

To approve the waiver of the attrition policy for Youth and Family Services position so they may move forward and fill the position soon as possible.

REQUEST FROM THE NEVADA OUTDOOR SCHOOL FOR A GRANT TO COVER THE

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RENTAL OF MEETING ROOM IN THE EXHIBIT HALL FOR A NON-PROFIT COMMUNITY

SERVICES FAIR: Trina Kleintjes, AmeriCorps Program Director appeared before the Board. Ms. Kleintjes spoke in support of the request for a grant to cover the rental cost of the meeting room in the exhibit hall at the Winnemucca Events Complex for a non-profit community services fair put on by AmeriCorps Service Members on Martin Luther King Jr.'s Birthday; she discussed some of the events that would be occurring at the fair. Commissioner Fransway voiced his support for the project and the request and discussed with Ms. Kleintjes the Fire Safe Council. The following motion was made by Commissioner Amos and passed unanimously:

To approve the grant of \$150.00 to cover the rental of the meeting room for a non-profit community services fair.

REVIEW OF PREVIOUS NUISANCE COMPLAINTS:

ALLEGED NUISANCE COMPLAINT ON PROPERTY BELONGING TO MICHAEL MONTGOMERY LOCATED AT 150 MANSELL STREET, GOLCONDA, NEVADA, APN #08-181-07 & ALLEGED NUISANCE COMPLAINT ON PROPERTY BELONGING TO THE KLECKER TRUST LOCATED AT 135 E. FIFTH STREET, GOLCONDA, NEVADA, APN #08-

181-06: Administrator Deist noted that the Board had continued this matter from their November 7, 2011 meeting to their first meeting in January to allow the property owners time to clean up the sites before formal action was taken, it was noted that the Building Inspector had viewed the properties and the Fifth Street site has been cleaned up but the Mansell Street property has not. After discussion the following motion was made by Commissioner Fransway and passed unanimously:

That the Board requests that the Montgomery property located at 150 Mansell Parcel 08-181-07 be put on the next agenda for a formal report.

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

That no nuisance exists on the Klecker Trust located at 135 East Fifth Parcel 08-181-06.

PRESENTATION BY GENE SEIDLITZ, DISTRICT MANAGER, WINNEMUCCA DISTRICT OFFICE OF THE BLM, REGARDING SAGE GROUSE PLANNING AND THE IMPACTS AND PROCESS FOR THE WINNEMUCCA DISTRICT:

Gene Seidlitz, District Manager of the Winnemucca District Office of the BLM appeared before the Board. Mr. Seidlitz discussed the background of the sage grouse issue, issues with the RMP to deal with sage grouse, proposed management plans and the status of the Record of Decision. Discussion ensued regarding the Environmental Impact Study for the east and west and how it will focus on sage grouse, the potential of

impact on grazing permits and the identified habitat areas. Mr. Seidlitz showed a map to the Board of the identified habitat areas in the local BLM Nevada district and reviewed the areas for the Board. Discussion continued regarding the December decision released from Washington, conservation measures, the interim guidance provided in the December decision to extend until 2014 and when the EIS would be finalized. US District Forest Ranger Jeff Ulrich commented from the audience regarding the cooperating agency process and the interim management policies and procedures.

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

REPORT OF PENDING ROAD DEPARTMENT PROJECTS: Superintendent Garrett discussed the condition of the roads due to lack of water and the work being done on some of the roads including cattle guard installation. Superintendent Garrett informed the Board that since the discussion at the prior meeting related to the acceleration/turn lane off of Reinhart onto US 95, a survey had been conducted from Winnemucca to SR 140 to identify other potential improvements which could be done and besides that lane, passing lanes including an extension of the passing lane on Paradise Summit, left turn and right turn pockets and acceleration lanes at all County maintained road ways which intersect US 95, road way widening, chain up areas and better signage had been identified and sent in for State consideration; he noted that if a letter of support is needed he would let the Board know and that he had a copy of the official submission if they wanted to look at it. Administrator Deist asked that a copy be provided which he would copy and provide to the Commissioners. Commissioner Cassinelli asked about the status of the previously discussed frontage road in the Delaney area. Superintendent Garrett stated that it is in the works but they are waiting on BLM approval for right-of-way. Discussion occurred regarding the proposed acceleration lane at US 95 and Reinhart.

MISCELLANEOUS ROAD RELATED MATTERS: Discussion occurred regarding the proposed rumble strips and signage in Paradise Valley related to speed reduction and that the gravel had been put on the County's portion of the area in front of the Paradise Valley firehouse.

RETREAT PLANNING: Administrator Deist noted that the retreat is planned for January 30th at the Events Complex and reviewed the items planned for the agenda. Commissioner Fransway asked that the OHV situation on public roads and how that can be addressed be added. Discussion occurred regarding NRS 278.260 and that the matter would be included under the Community Development Ordinance concept already planned. No further items suggested.

Chairman Bell recessed the meeting for lunch at 11:47 a.m. to reconvene at 1:30 p.m.

PLANNING MATTERS: Betty Lawrence, Senior Planning Technician for the Planning Department,

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appeared before the Board.

PUBLIC HEARING ON 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:

Provided to the Board was a copy of the proposed ordinance, a memo from the Regional Planning Department explaining the amendment and a copy of the Notice of Public Hearing. Chairman Bell read the title of the item. Mrs. Lawrence reviewed the proposed amendment for the Board. Chairman Bell asked for public comment. Michael Michaelsen appeared before the Board and questioned which zoning classifications would be effected. Discussion ensued. No further public comment offered. The following motion was made by Commissioner Amos and passed unanimously:

To approve the amendment Chapter 17.10 General Provisions of the Humboldt County Code to correct yard requirement designations to reflect yard requirement designations in Chapter 17.23.

(Ordinance 01-03-12)

PUBLIC HEARING ON 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:

Provided to the Board was a copy of the proposed ordinance, a memo from the Regional Planning Department explaining the amendment and a copy of the Notice of Public Hearing. Chairman Bell read the title of the item. Mrs. Lawrence reviewed the proposed amendment for the Board. Chairman Bell asked for public comment. None offered. The following motion was made by Commissioner Fransway and passed unanimously:

To approve TH-11-03 as per staff recommendations.

(Ordinance 01-03-12a)

PUBLIC HEARING ON 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: Provided to the Board was a copy of the proposed ordinance, a memo from the Regional Planning Department explaining the amendment and a copy of the Notice of Public Hearing. Chairman Bell read the title of the item. Mrs. Lawrence reviewed the proposed amendment for the Board. Commissioner Fransway asked if the amendment regarding recreational vehicles would be included on parcels below five acres and voiced his concern about allowing RVs on smaller parcels. After discussion

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the Board agreed that the matter should be tabled for further information. Chairman Bell tabled the matter until the next regular meeting.

PUBLIC HEARING ON 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: Provided to the Board was a copy of the proposed ordinance, a memo from the Regional Planning Department explaining the amendment and a copy of the Notice of Public Hearing. Chairman Bell read the title of the item. Mrs. Lawrence reviewed the proposed amendment for the Board. Chairman Bell asked for public comment. None offered. The following motion was made by Commissioner Amos and passed unanimously:

To approve TH-11-05.

(Ordinance 01-03-12b)

PUBLIC HEARING ON 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: Provided to the Board was a copy of the proposed ordinance, a memo from the Regional Planning Department explaining the amendment and a copy of the Notice of Public Hearing. Chairman Bell read the title of the item. Mrs. Lawrence reviewed the proposed amendment for the Board. Commissioner Fransway stated his concurrence with the proposal. The Board concurred. Chairman Bell asked for public comment. Michael Michaelsen addressed the Board and opposed the amendment as it would remove a permitted use which had been on NC-R zoned properties. Commissioner French responded explaining that the proposed amendment would not change the land use but would add a layer of oversight. District Attorney Macdonald commented on the current status and discussed what the recommendation of the RPC was and why it had been determined the amendment was needed; he noted that this was more of a text correction and informed the Board that all property owners who would be affected had been noticed of the proposed amendment. Mrs. Lawrence confirmed that notification had been sent to twenty-nine property owners. Mr. Michaelsen continued his comments noting his issue with taking away a permitted use. No further public comment offered. After discussion the following motion was made by Commissioner Fransway and passed unanimously:

To approve TH-11-06 as recommended by staff.

(Ordinance 01-03-12c)

PUBLIC HEARING ON TH-11-07 - A text amendment to Chapter 17.30 GC District of the

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Humboldt County Code to add “or structures” to item H under conditional uses: Provided to the Board was a copy of the proposed ordinance, a memo from the Regional Planning Department explaining the amendment and a copy of the Notice of Public Hearing. Chairman Bell read the title of the item. Mrs. Lawrence reviewed the proposed amendment for the Board. Chairman Bell asked for public comment. Michael Michaelsen inquired if it only applied to the height definition. Mrs. Lawrence responded. No further public comment. The following motion was made by Commissioner Fransway and passed unanimously:

To approve TH-11-07 per staff recommendation.

(Ordinance 01-03-12d)

PUBLIC HEARING ON 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:

Provided to the Board was a copy of the proposed ordinance, a memo from the Regional Planning Department explaining the amendment and a copy of the Notice of Public Hearing. Chairman Bell read the title of the item. Mrs. Lawrence questioned if this item should be tabled in the same manner as TH-11-04 as it deals with the same issue. The Board concurred. Chairman Bell tabled the matter until the next regular meeting.

PUBLIC HEARING ON 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:

Provided to the Board was a copy of the proposed ordinance, a memo from the Regional Planning Department explaining the amendment and a copy of the Notice of Public Hearing. Chairman Bell read the title of the item. Mrs. Lawrence reviewed the proposed amendment for the Board. Chairman Bell asked for public comment. None offered. The following motion was made by Commissioner Amos and passed unanimously:

To pass TH-11-09.

(Ordinance 01-03-12e)

PUBLIC HEARING ON TH-11-10 - A text amendment to Chapter 17.54 Manufactured Home Siting Criteria of the Humboldt County Code to change TR to MH:

Provided to the Board was a copy of the proposed ordinance, a memo from the Regional Planning Department explaining the amendment and a copy of the Notice of Public Hearing. Chairman Bell read the title of the item. Mrs. Lawrence reviewed the proposed amendment for the Board. Chairman Bell asked for public comment. Michael Michaelsen questioned if TR overlay means the same as MH overlay. Mrs. Lawrence discussed the

changes in the zoning and building codes in relation to placing a mobile home on runners and/or foundation. Discussion occurred. No further public comment offered. The following motion was made by Commissioner French and passed unanimously:

To accept TH-11-10 as per recommendation.

(Ordinance 01-03-12f)

PUBLIC HEARING ON 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): Provided to the Board was a copy of the proposed ordinance, a memo from the Regional Planning Department explaining the amendment and a copy of the Notice of Public Hearing. Chairman Bell read the title of the item. Mrs. Lawrence reviewed the proposed amendment for the Board. Chairman Bell asked for public comment. None offered. The following motion was made by Commissioner Fransway and passed unanimously:

To approve TH-11-11 as per staff recommendation.

(Ordinance 01-03-12g)

PUBLIC HEARING ON 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: Provided to the Board was a copy of the proposed ordinance, a memo from the Regional Planning Department explaining the amendment and a copy of the Notice of Public Hearing. Chairman Bell read the title of the item. Mrs. Lawrence reviewed the proposed amendment for the Board. Chairman Bell asked for public comment. None offered. The following motion was made by Commissioner Amos and passed unanimously:

To approve TH-11-12.

(Ordinance 01-03-12h)

PUBLIC HEARING ON TH-11-13 - A text amendment to Chapter 17.68 Conditional Use Permits of the Humboldt County Code to remove county: Provided to the Board was a copy of the proposed ordinance, a memo from the Regional Planning Department explaining the amendment and a copy of the Notice of Public Hearing. Chairman Bell read the title of the item. Mrs. Lawrence reviewed the proposed amendment for the Board. Chairman Bell asked for public comment. None offered. The following motion was made by Commissioner Cassinelli and passed unanimously:

To approve TH-11-13.

(Ordinance 01-03-12i)

PUBLIC HEARING ON 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:

Provided to the Board was a copy of the proposed ordinance, a memo from the Regional Planning Department explaining the amendment and a copy of the Notice of Public Hearing. Chairman Bell read the title of the item. Mrs. Lawrence reviewed the proposed amendment for the Board and noted that the 30 different property owner's language is to bring the Code into compliance with NRS 278.260. Chairman Bell asked for public comment. Michael Michaelsen asked if the language of the Code would mirror statute. Mrs. Lawrence said yes and explained how the process would work. Discussion ensued. No further public comment offered. After discussion the following motion was made by Commissioner Fransway and passed unanimously:

To approve TH-11-14 per staff recommendations and per NRS 278.260.

(Ordinance 01-03-12j)

PUBLIC HEARING ON 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:

Provided to the Board was a copy of the proposed ordinance, a memo from the Regional Planning Department explaining the amendment and a copy of the Notice of Public Hearing. Chairman Bell read the title of the item. Mrs. Lawrence reviewed the proposed amendment for the Board. Chairman Bell asked for public comment. None offered. The following motion was made by Commissioner Amos and passed unanimously:

To approve TH-11-15.

(Ordinance 01-03-12k)

PUBLIC HEARING ON TH-11-16 - A text amendment to Chapter 16.08 Definitions of the Humboldt County Code to amend general plan to reflect master plan:

Provided to the Board was a copy of the proposed ordinance, a memo from the Regional Planning Department explaining the amendment and a copy of the Notice of Public Hearing. Chairman Bell read the title of the item. Mrs. Lawrence reviewed the proposed amendment for the Board. Chairman Bell asked for public comment. None offered. The following motion was made by Commissioner Cassinelli and passed unanimously:

To approve TH-11-16 per staff recommendation.

(Ordinance 01-03-12L)

PUBLIC COMMENTS: Chairman Bell asked for public comments. Commissioner Cassinelli questioned the possibility of moving the Buckaroo Hall of Fame to the museum. Discussion occurred as to what would be required for that to occur. Administrator Deist stated he would contact the Museum

Director to discuss the issue. Ken Hladek thanked the Board for taking the planning items individually for discussion and action. Michael Michaelsen thanked the Board for allowing him to express his opinion. No further comment offered.

ADJOURNMENT: Chairman Bell adjourned the meeting at 2:18 p.m.

ATTESTED: J. Spero Clerk APPROVED: Mike Bell Chairman

UNOFFICIAL

MEMORANDUM

TO: COMMISSIONERS
FROM: ADMINISTRATOR
DATE: December 28, 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 11-12-21 through 11-12-25 for your review.

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

2. Approval of Water Distribution Budgets for 2012-2013 Season: Attached are the budgets as prepared by the State Engineer. You are required by NRS 533.285 to certify these each year.

Recommendation: That the Commission certify the Water Distribution Budgets as presented and authorize the Clerk to sign the certification.

MEMORANDUM

TO: COUNTY COMMISSIONERS

FROM: COUNTY ADMINISTRATOR

DATE: December 28, 2011

SUBJECT: OTHER INFORMATION AND UPCOMING MEETINGS

OTHER INFORMATION:**UPCOMING MEETINGS:**

1. January 6, 2012 Congressman Amodei
2. January 10, 2012 Humboldt Development Authority
3. January 16, 2012 County Holiday
4. January 17, 2012 Commission