

Monday, February 6, 2012

The regular meeting of the Humboldt County Board of Commissioners was called to order on Monday, February 6, 2012, at 10:00 a.m. in the regular place of meeting at the Courthouse, Winnemucca, Nevada. Those present were Chairman Mike Bell, Commissioners Jim French, Dan Cassinelli, Tom Fransway and Garley Amos, Jr., District Attorney Michael Macdonald, Administrator Bill Deist and Clerk of the Board Tami Rae Spero.

PUBLIC COMMENTS: Chairman Bell asked for public comments. Rudy Herndon reminded the Board about the public forum related to sage grouse that John Carpenter would be hosting in Elko on March 3, 2012. No further public comment offered.

DISCUSSION & ACTION ON CORRECTION/APPROVAL OF MINUTES - DECEMBER 19, 2011, JANUARY 3, 2012 & JANUARY 17, 2012: Chairman Bell asked for corrections/additions for the minutes of December 19, 2011; none offered. The following motion was made by Commissioner Fransway and passed unanimously:

To approve December 19th as written.

Chairman Bell asked for corrections/additions for the minutes of January 3, 2012; none offered. The following motion was made by Commissioner French and passed unanimously:

To accept January 3, 2012 minutes.

Chairman Bell asked for corrections/additions for the minutes of January 17, 2012; none offered. The following motion was made by Commissioner Cassinelli and passed unanimously:

To approve January 17th.

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:** Request 11-12-26 was provided to the Board for review. *Recommendation: That the Commission approve the adjustment as recommended by the Treasurer and Assessor.*

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

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

MISCELLANEOUS REPORTS AND CORRESPONDENCE:

OTHER INFORMATION AND UPCOMING MEETINGS: Administrator Deist commented on a meeting that he and the Chairman had attended with Gene Seidlitz, District Manager of the Winnemucca Field Office of the BLM Friday at which Manager Seidlitz had reported on the Tri-state Calico wild horse gather and discussed the fires and the rehabilitation projects for those fire sites.

REPORTS FROM COMMISSIONERS REGARDING OTHER BOARDS AND COMMITTEES

THEY SERVE ON: Commissioner Cassinelli reported on discussion by the WCVA to build an addition on the Winnemucca Events Center, noting that WCVA Director Petersen would be bringing the matter before the Commission at a future meeting. Commissioners Amos and French commented on the Humboldt River Basin Water Authority meeting they had attended. Commissioner French noted concerns with a change in policy by the BLM wherein they are filing on available reserve water rights. Commissioner Fransway reported on the Nevada Association of Counties (NACO) Board of Directors meeting which he had attended including discussion related to CTX issues, an agreement between NACO and the National Association of Counties (NACo) involving the prescription drug plan, the assessments to the counties in the 2011 legislature, that legal counsel had been retained to perform due diligence in the Wild Horse/Burro litigation and discussion related to the issues to be raised in Washington DC.

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

To approve the expenditures.

ADOPTION OF PROCLAMATION RECOGNIZING FEBRUARY AS HUMBOLDT COUNTY TEEN DATING VIOLENCE AWARENESS AND PREVENTION MONTH:

A letter from Tiffany Stickney, Program Coordinator for Winnemucca Domestic Violence Services explaining the request and a copy of the proposed proclamation was provided to the Board for review. Administrator Deist noted the request letter and that this proclamation has been approved in prior years. Commissioner Amos stated his support of the request. Commissioner Fransway concurred but noted the seriousness of the crime and requested that additional language indicating that the District Attorney's Office would prosecute these acts as adult crimes be included in some fashion; he suggested language be included stating "*that we urge the District Attorney's Office to prosecute perpetrators of teen dating violence as adults to be tried in an adult court.*" District Attorney Macdonald commented on what goes into the determination for prosecuting a juvenile as an adult indicating that cases must be considered individually and that the

standards provided by law must be met but he noted that his Office does take a very serious look at these types of offenses. Commissioner Fransway suggested that the language could include “*whenever possible*”. Commissioner Amos commented on his support of adopting the proclamation as is as he is confident that the District Attorney would handle the matter appropriately. District Attorney Macdonald commented on how the cases are looked at to determine how to go forward. Commissioner Fransway stated that a message needs to be sent that this Commission feels that it is a serious crime and so additional language does need to be included. The following motion was made by Commissioner Fransway:

To adopt the resolution proclaiming the month of February as National Teen Dating Violence Awareness and Prevention Month with the additional language.

A question was posed from the audience regarding parental responsibility. District Attorney Macdonald explained. Commissioner Cassinelli stated his concurrence with Commissioner Amos statements that the Commission leaves the language alone, as that is up to the DA and the courts, and approve the proclamation as presented. Chairman Bell called Commissioner Fransway’s motion to a vote and it failed with Commissioners Fransway and French voting aye and Chairman Bell and Commissioners Cassinelli and Amos voting nay. The following motion was made by Commissioner Amos and passed unanimously:

To adopt February as Humboldt County Teen Dating Violence Awareness and Prevention month.

Commissioner Fransway commented on his vote for the proclamation but his continued support of the additional language.

(Resolution No. 02-06-12)

REQUEST THAT HUMBOLDT COUNTY BECOME THE SPONSOR FOR THE PROPOSED JAMES KINNEY POND PROJECT: Provided to the Board for review was a copy of a conceptual site layout and e-mails related to the project from Kim Tisdale, Supervising Fisheries Biologist with the Nevada Department of Wildlife (NDOW). Doug Cain and Jim Kinney appeared before the Board. Mr. Cain discussed the interest in placing an urban pond in the area, discussion which had occurred with Mr. Kinney regarding the site and NDOW regarding the project and the support received; he continued reviewing the proposed plan for the Board. Mr. Kinney commented on the project, the location of pond, his leasing of the land for the project and his request that due to the location off of Reinhart Lane that consideration be given to reducing the speed limit on the road from 45 MPH to 35 MPH. Commissioner

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Fransway noted that Reinhart is a State road. Commissioner Cassinelli observed that it also a truck route and commented on the lack of support and the opposition for a recently suggested speed limit reduction on Westmoreland Road which is also a truck route. Discussion occurred regarding the ownership of the property and Question 1 funding related to acquisitions. Mr. Cain stated that NDOW is not interested in serving as the lessee and that, if the property were within the City limits, he would have approached the Council with this request but as it is located in the County he is requesting that Commission become the lessee/sponsor. Mr. Cain discussed the costs and funding available related to the project. Discussion occurred regarding the depth and water volume. Cody Byrne of NDOW addressed questions related to the fill and overflow of the pond. Commissioner French suggested that the water right holding that Pershing County holds be reviewed. Discussion occurred regarding pumps, the size, the fish type that would be stocked and ongoing upkeep and costs associated with that upkeep, the landscaping around the site and the need to keep it free of carp. Mr. Cain noted that the request today is just for sponsorship not for funding but that he would ask that he be identified as the contact person in his capacity as the Buildings & Grounds Director. Lewis Trout offered public comment regarding the acquisition - lease, the safety issue and the need to look at the reduction of the speed limit and the need for an independent group to be identified for evaluation purposes. After discussion the following motion was made by Commissioner Cassinelli and passed unanimously:

That Humboldt County sponsor this program to get it started and that all the questions will have to be answered and addressed properly down the road.

PLANNING MATTERS: Betty Lawrence, Senior Planning Technician for the Planning Department and Lewis Trout of the Regional Planning Commission (RPC) appeared before the Board.

SET TO PUBLIC HEARING - A rezone application submitted by Robert and Tammie Quilici to change the zoning from RR-13 (Rural Ranchette 13,000 square foot minimum lot size) to R-3 (Multi-Family Residential) on property located at 4205 and 4205 1/2 Center Street; APN #010-361-20 & 010-361-29): Chairman Bell read the title of the item to be set to public hearing. The following motion was made by Commissioner Fransway and passed unanimously:

To set to public hearing RH-11-02.

SET TO PUBLIC HEARING AN APPEAL - of the Regional Planning Commission's decision regarding the beginning of Eden Valley Road and the end of Stanford Road in Golconda: Chairman Bell read the title of the item to be set to public hearing. The following motion was made by Commissioner Fransway and passed unanimously:

To set to public hearing.

REQUEST FOR CONTRIBUTIONS:

REQUEST FROM SONOMA INDUSTRIES FOR A CONTRIBUTION TO HELP STAY OPEN AND PROVIDE JOBS: A copy of a letter setting forth the request for a contribution from Dawn Marie West, Director of Sonoma Industries had been provided to the Board for review. No representative of the organization was present at the meeting. Administrator Deist commented on this being part of what will occur due to state cuts with the "shared sacrifice" but suggested that the item be tabled as it would be beneficial if someone from the organization were here to discuss the matter. The following motion was made by Commissioner Cassinelli and passed unanimously:

To table the item until someone can show up.

REQUEST FROM GIRLS' FAST PITCH ASSOCIATION FOR DONATION TO COVER THE COSTS OF FAIRGROUNDS RENTAL: No representative for the organization was present at the meeting. Administrator Deist commented that this request would be for \$400.00 to cover the cost of the exhibit hall and kitchen. The following motion was made by Commissioner Amos and passed unanimously:

To provide a \$400.00 grant to the Girls' Fast Pitch Association to cover the costs of fairgrounds rental.

REQUEST FROM THE WINNEMUCCA LITTLE LEAGUE BOARD TO GRANT THEM THE 4-H BUILDING FOR THEIR ANNUAL SPAGHETTI FEED FUND RAISER: JoAnn Casalez appeared before the Board and spoke in support of the request for a \$400.00 grant to cover the cost of the 4-H building for the Winnemucca Little League's annual spaghetti feed. The following motion was made by Commissioner French and passed unanimously:

To grant \$400.00 as requested.

REQUEST FROM THE WINNEMUCCA HOST LIONS CLUB FOR A DONATION TO COVER COSTS OF HALL RENTAL FOR FUND RAISER OVER THANKSGIVING WEEKEND 2012:

Patricia Setzer, Sunny Johnson and Susan Shepler of the Winnemucca Host Lions Club appeared before the Board. Ms. Setzer addressed the Board regarding the Festival of Trees program planned for Thanksgiving weekend stating that the funds generated would help support Lions Club programs such as the life line program and the eye care program. Ms. Johnson noted that neither of the programs are duplicated in the community and explained how a festival of trees works including the plan to use canned food, toys and blankets as the price of admission to assist other programs during the holiday season.

Administrator Deist stated the cost associated with the request would \$900.00 and that it would come from the next fiscal year's budget. The following motion was made by Commissioner Amos and passed unanimously:

To approve the \$900.00 grant for the Winnemucca Host Lions Club.

REQUEST FOR LETTER OF SUPPORT FOR GRANT REQUEST TO IMPLEMENT ON A LAND SCAPE LEVEL LATE SEASON CHEATGRASS GRAZING AS PROPOSED BY UNIVERSITY OF NEVADA RENO (UNR) BASED ON RESEARCH DONE AT THE GUND

RANCH: Provided to the Board was a copy of a presentation entitled "Fall Grazing of Cheatgrass: A Fuel Reduction Tool" from the University of Nevada, Reno College of Agriculture, Biotechnology & Natural Resources by Bob Alverts, Consultant to the Dean. Brad Schultz Cooperative Extension Agent appeared before the Board. Administrator Deist noted that this presentation had been discussed at the Cattlemen's update and that Mr. Schultz, as a member of the team, was very familiar with the program. Mr. Schultz discussed the history of the project, the proposed research, the funding being sought and the letter of support being requested. Commissioner Fransway discussed the Nevada Association of Counties Board of Director's support of the program. Commissioner Cassinelli commented on the request being only for a letter of support at this time. Commissioner Amos asked how the BLM feels about the research. Gene Seidlitz, District Manager for the BLM Winnemucca Field Office, Mike Fetic, BLM Fire Management Officer and Derek Messmer of the BLM Supervisory Fuels appeared before the Board. Manager Seidlitz addressed the Board and discussed the BLM's support and involvement with the project. Discussion occurred regarding the potential of the project. After discussion the following motion was made by Commissioner Cassinelli and passed unanimously:

That Humboldt County writes a letter of support for this trial.

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

AWARD OF BID FOR TILT DECK TRAILER: Provided for the Board's review was a memo from Superintendent Garrett reviewing the equipment transport trailer purchase with a copy of the information provided from Pape Machinery (see attached). Superintendent Garrett reviewed the bid of \$35,890.00 from Pape Machinery for a new 2008 Trail King trailer noting that the bid is higher than the amount budgeted for this purchase but as the motor grader rebuilds came in significantly lower than budgeted there are sufficient funds in the budget to cover the additional cost; he requested approval of the award. The following motion was made by Commissioner Cassinelli and passed unanimously:

To accept the bid as requested.

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DISCUSSION WITH AGENT FOR GOLDEN JUNGO INVESTMENT, INC. REGARDING THE COUNTY'S WELL IN SECTION 31, T35N, R36E, M.D.B.&M. AND POTENTIAL OF COUNTY GETTING AN EASEMENT FOR SAID WELL:

Administrator Deist stated that the agent for Golden Jungo Investment was unable to attend today; he explained that a county well was not located on BLM ground as previously thought but on Golden Jungo Investment's property so an easement needs to be pursued but that the agent should be involved with the discussion so he requested that the matter be tabled. The following motion was made by Commissioner Fransway and passed unanimously:

To table it until we get further information.

REPORT OF PENDING ROAD DEPARTMENT MATTERS: Superintendent Garrett reported on the pre-design meeting related to the all of the safety projects being considered for US 95 he had attended with NDOT representatives and their support for the Reinhart Lane acceleration lane project which will go depending on fund availability and that he had been contacted by the BLM with questions related to the application for right-of-way for the Mayhew Drive extension which is moving forward. Superintendent Garrett stated that the striping agreement with NDOT expires at the end of the year so the County will need to decide whether to pursue a new agreement, he noted that this process needs to begin as things with the State are sometimes slow and it may take some times to see what can be worked out. The Board concurred and directed Superintendent Garrett to bring back a proposal. Superintendent Garrett reported on road grading, the cleaning of cattle guards and book mobile repairs. Discussion ensued regarding the book mobile.

MISCELLANEOUS ROAD RELATED MATTERS: None offered.

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

PRESENTATION BY CTA ARCHITECTS OF SCHEMATIC DESIGN, SCHEDULE AND BUDGET RELATED TO HUMBOLDT COUNTY DISPATCH CENTER AND DIRECTION TO

PROCEED TO BID: Scott Roberts, Project Manager and Zach Lester, Lead Designer with CTA Architects appeared before the Board. Mr. Roberts provided a Schematic Design packet for the Communications Center, Humboldt County, Nevada including a systems narrative, the schematic design, the project program, budget and schedule to the Board for review. Administrator Deist reviewed the background for this project. Mr. Lester reviewed the proposed design for the Board with a power point presentation. Discussion occurred regarding the fire suppression system, the vehicle bays, the location and the drainage. Mr. Roberts reviewed the proposed budget for the project. Discussion ensued regarding the budget proposal. Discussion occurred with Communications Director Paul Burkholder and

Communications Technician Ric Grantham regarding the system transfers. Commissioner Cassinelli commented on the need for the center. Chairman Bell and Commissioner Amos concurred. After discussion the following motion was made by Commissioner Amos and passed unanimously:

To continue and go out to produce the bid documents.


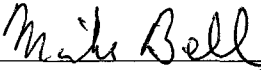
REQUEST FROM THE DISTRICT ATTORNEY'S OFFICE FOR A WAIVER TO THE ATTRITION POLICY FOR THE ADMINISTRATIVE CLERK POSITION WHICH IS CURRENTLY VACANT:

District Attorney Michael Macdonald appeared before the Board and explained that the administrative clerk had been promoted to the available legal secretary position which left the administrative clerk position open; he detailed the duties of the position and spoke in support of a waiver to the attrition policy for the position. The following motion was made by Commissioner French and passed unanimously:

To grant the waiver to the attrition policy as requested.

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

ADJOURNMENT: Chairman Bell adjourned the meeting at 1:58 p.m.

ATTESTED:  Clerk APPROVED:  Chairman

CONFIDENTIAL

MEMORANDUM

TO: COMMISSIONERS
FROM: ADMINISTRATOR
DATE: February 1, 2012
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 is request 11-12-26 for your review.

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

UNOFFICIAL

042

To: County Commission
From: Ben Garrett, Roads Superintendent
Date: January 30, 2012
Subject: Equipment Transport Trailer Purchase

In the 2011-2012 budget, the Road Department has \$30,000 for an Equipment Transport Trailer. The trailer will be utilized in conjunction with a dump truck to primarily haul a backhoe. The fleet contained 2 tilt deck trailers, but both have been retired due to damage in operation. One tilt deck tag along trailer will be sufficient in the fleet.

The Road Department solicited bids for a tilt deck tag along trailer with a 50,000 pound GVW and 3 axles, 2005 or newer. Several additional items were included in the specification (24 foot minimum tilt deck length with an additional 5 foot stationary deck, 102 inch deck width, hardwood deck material, deck locks, adjustable height pintle hook, safety chains, 7 D-rings per side, 20,00 pound axle minimums, 12,000 pound tongue jack, air brakes, and DOT approved lighting with LED lights).

Specifications were sent to:

Pape Machinery- Sparks, Nevada
Cashman Equipment-Elko, Nevada
Truck Parts and Equipment-Sparks, Nevada
Silver State Truck and Trailer-Sparks, Nevada
Equipment Sales Inc.-Salt Lake, Utah
Utility Truck & Equipment-Boise, Idaho
Excel Equipment-Boise, Idaho

We received one response from Pape Machinery in Sparks. The bid was \$35,890 FOB Winnemucca. The trailer is a new 2009 Trail King. The only exception to the specifications is the tire size. Our specification called for a tire size consistent with other tires in our fleet.

The bid is \$5,890 higher than our budget for this specific item; however the motor grader rebuilds came in \$22,000 lower than expected. I would recommend accepting the bid from Pape Machinery as proposed.