

Monday, March 5, 2012

The regular meeting of the Humboldt County Board of Commissioners was called to order on Monday, March 5, 2012, at 9:30 a.m. in the regular place of meeting at the Courthouse, Winnemucca, Nevada. Those present were Chairman Mike Bell, Commissioners Jim French, Dan Cassinelli, and Garley Amos Jr., District Attorney Michael Macdonald, Administrator Bill Deist and Clerk of the Board Tami Rae Spero. Commissioner Tom Fransway appeared telephonically beginning at 9:36 a.m. and ending at 11:29 a.m.

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

DISCUSSION & ACTION ON CORRECTION/APPROVAL OF MINUTES - FEBRUARY 21, 2012: No minutes were presented for approval.

ADMINISTRATIVE REPORT:

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

1. Authorize the Chairman to sign the grantee agreement for the transport service program: A copy of the agreement for the Senior Citizen's transportation program, which is presented annually, was provided to the Board for review. *Recommendation: That the Commission authorizes the Chairman to sign the agreement.*

The following motion was made by Commission Cassinelli and passed with Chairman Bell and Commissioners French, Cassinelli and Amos voting aye and Commissioner Fransway being absent:

To approve the transportation agreement and authorize the Chairman to sign.

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 the CDBG presentation related to the McDermitt Mapping Project was scheduled for March 28th in Carson City and that the first hearing on the Pine Forest Bill would occur on Thursday and noted upcoming meetings and dates of importance. Discussion occurred regarding the process for the Pine Forest Bill.

REPORTS FROM COMMISSIONERS REGARDING OTHER BOARDS AND COMMITTEES THEY SERVE ON: Commissioner French reviewed some statistics provided by NV Works for the Board. Commissioner Cassinelli discussed the WCVA meeting he had attended including information about ticket sales for the Labor Day concert and room tax revenues. Chairman Bell reported on the Winnemucca Futures Project.

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

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

TREASURER'S OFFICE: Treasurer Gina Rackley appeared before the Board.

REQUEST TO RETAIN PROPERTY FROM THE TAX AUCTION: A memo from the Treasurer detailing the request to retain Assessor's Parcel Number 008-142-05 as Ydiando Street runs through it and a map of the area (see attached) were provided to the Board for review. Treasurer Rackley reviewed her suggestion that the County retain parcel 008-142-05 including a review of the research related to the parcel, the statutory language which allows the County to retain the parcel, the correspondence which has occurred with the current owner and her recommendation that it would be in the best interest of the public to retain the parcel. After discussion the following motion was made by Commissioner Cassinelli and passed unanimously:

To retain Assessor's Parcel Number 008-142-05.

ADOPTION OF THE RESOLUTION FOR SALE OF COUNTY TRUST PROPERTY: A copy of the proposed resolution with the parcel list (see attached) was provided to the Board for review. Treasurer Rackley reviewed the request noting the action taken previously to remove parcel 008-142-05 from the list as the County will be retaining the property and requesting that parcel 005-627-02 owned by James P McNerney be removed as he had paid in full. After discussion the following motion was made by Commissioner Amos and passed unanimously:

To approve the resolution to sell trust properties except for the ones identified by the Treasurer.

(Resolution 03-05-12)

(Commissioner Fransway disconnected from the teleconference for several minutes at this point)

REQUEST FOR APPROVAL OF OUT OF STATE TRAVEL BY BUILDINGS AND GROUNDS STAFF FOR TRAINING NOT AVAILABLE IN NEVADA: A copy of information related to the training had been provided to the Board for review. Buildings & Grounds Director Doug Cain appeared before the Board. Director Cain reviewed his request for an employee to attend training in San Diego related to the locking systems at the Detention and Juvenile Centers. Discussion occurred regarding the training, the cost and that this is the only location on the west coast where the training is offered. After discussion the following motion was made by Commissioner Amos and passed with Chairman Bell and Commissioners French, Cassinelli and Amos voting aye and Commissioner Fransway being absent:

To approve out of state travel by buildings and grounds staff for training not available in Nevada.

(Commissioner Fransway reconnected to the meeting at this point)

Commissioner Fransway discussed what was occurring in Washington DC related to his visit there with WIR and as a representative of the NACO Public Lands Committee.

REQUEST FROM THE ASSESSOR FOR APPROVAL OF AMENDMENT TO THE PICTOMETRY AGREEMENT AND FOR AUTHORIZATION OF THE CHAIRMAN'S SIGNATURE:

A copy of the proposed addendum to the Pictometry agreement was provided to the Board for review. Assessor Jeff Johnson appeared before the Board. Assessor Johnson explained the request which would add additional images and tools which were not in the original agreement and noted that the cost would be paid through his technology fund. The following motion was made by Commissioner French and passed unanimously:

To accept the request from the Assessor for the approval of the amendment to the Pictometry agreement and to authorize the Chairman's signature.

REQUEST FROM THE WINNEMUCCA BARREL RACING ASSOCIATION FOR FUNDING OF \$1,000.00 TO COVER THE INDOOR EVENTS CENTER ARENA FEES FOR THE 2012 BENEFIT BARREL RACE:

Bonnie Cassinelli, President of the Winnemucca Barrel Racing Association, appeared before the Board. Mrs. Cassinelli spoke in support of the request. Commissioner Cassinelli noted that the Board has supported this event in past years. Administrator Deist confirmed the prior support. Commissioner Cassinelli disclosed for the record that Mrs. Cassinelli is his sister in law but that he would not be abstaining from discussion and action on this item as he receives no benefit from it. After discussion the following motion was made by Commissioner Amos and passed unanimously:

To grant the request for the funding of \$1000.00 for the Indoor Events Center arena fees for the 2012 benefit barrel race.

PRESENTATION BY HYCROFT RESOURCES AND DEVELOPMENT REGARDING THE MINE EXPANSION AND THE POSSIBLE SUPPORT BY HUMBOLDT COUNTY OF THE PREFERRED ALTERNATIVE IN THE EIS:

Warren Wood, Vice-President/General Manager of Hycroft appeared before the Board. Mr. Wood presented a power point presentation regarding Hycroft which included the history of the mine, the milestones, time lines, production profile, expansion progress, taxes, fees and expenses, employee numbers and costs and the status of the draft EIS and Record of Decision; he requested a letter of support from the Commission for the BLM. After discussion the following motion was made by Commissioner French and passed unanimously:

That the Commission directs the administrator to draft a letter of support for this project to the Bureau of Land Management as presented today for the Chairman's signature.

PRESENTATION BY THE WINNEMUCCA DISTRICT OF THE BLM REGARDING THE PROPOSED SUPPLEMENTARY RULES ON CERTAIN PUBLIC LANDS IN HUMBOLDT, PERSHING, WASHOE, LYON AND CHURCHILL COUNTIES WHICH ARE NEEDED TO PROTECT THE AREAS NATURAL AND CULTURAL RESOURCES AND PROVIDE HEALTH AND SAFETY ON PUBLIC LANDS:

A copy of the June 21, 2004 County Commission minutes at which this issue was previously discussed and a copy of the proposed

supplemental rules were provided to the Board for review. Gene Seidlitz, Winnemucca District Manager BLM and Mike Marquart, Nevada Chief Ranger BLM/Nevada appeared before the Board. Administrator Deist noted that he and the Sheriff had met with Director Seidlitz and Ranger Marquart and discussed the issue and that the process being proposed differs from the manner in which it was proposed previously; he referred to the proposal made in 2004 and noted that the proposal had not been favored by the Board at that time. Manager Seidlitz addressed the Board regarding the approach which is being used with this proposal and how it differs from 2004 and which areas of the State the District encompasses. Ranger Marquart addressed the Board regarding his personal background and his meetings with the Sheriffs of each of the Counties impacted. Ranger Marquart presented a Power Point Presentation which explained the authority under which the regulations are created, the process used to create the rules, the purpose and intent of the regulations, the 2004 attempt and the purpose/intent and myth related to the proposal, the issues with the current regulations which require this update and the matter in which Federal citations are issued and handled. Commissioner Fransway commented on a resolution passed by the Public Lands Committee in Washington which would require any Federal agency to recognize the Sheriff as the chief law enforcement authority in the County and he hopes that is the intent which is being presented right now; he discussed concerns he had with the proposal and the ability of BLM personnel to carry firearms. Sheriff Kilgore joined the meeting at this point. Ranger Marquart responded to Commissioner Fransway's comments noting that he recognizes the Sheriff as being the chief law enforcement officer for the County but it is not about who is in charge it is about collaboration, communication and addressing the issues that are taking place on public lands. Manager Seidlitz discussed who within the BLM has enforcement authority, the ability to carry firearms and the ability to issue citations. Commissioner Fransway commented that certain steps could set precedence and that a close eye needs to be kept on the BLM and their intent and the ability of the Sheriff to do his job and that the public should not be harassed at all. Ranger Marquart continued discussing the rules and explaining them. Sheriff Kilgore commented from the audience about information sharing. Commissioner French asked about enforcement relative to NRS and NAC related to wildlife. Ranger Marquart discussed the collaborative effort with NDOW related to wildlife and discussed the proposed rules as compared to the current rules. Commissioner French asked about the process of adopting additional rules and regulations. Manager Seidlitz responded and explained the process locally including that amendment would not occur just by publishing in the Federal Registry but that he would come before the local Boards for discussion due to the relationships locally. Commissioner French noted his agreement with the comments but voiced his concerns that it may not occur that way in other jurisdictions. Manager Seidlitz noted the concerns. Commissioner Fransway stated his need to depart the meeting but commented that if the Board intends to take action today, the only action he would support would be to gather more information and to speak to Sheriff Kilgore as he has serious concerns about some of what is being presented today. (Commissioner Fransway exited the meeting at 11:29 a.m.) Chairman Bell asked for Sheriff Kilgore's input on what the

BLM is proposing. Sheriff Kilgore addressed the Board noting that he believes that the BLM is just trying to bring the language into line with what is already being done, that the intent of what is being proposed today is to put everything on the surface and to allow the gray areas to be more defined, the intent is not to usurp local authority or to create havoc with the people on public lands, it is to protect what we have; he discussed how it will benefit the area given the limited number of Deputies he has to cover the number of miles within the County and that if there are gray areas how they will contact local law enforcement for assistance. Commissioner French commented on his support of the need for the officers to have proper equipment and weapons noting that this is a different place than it used to be and discussing some of the issues on the public lands. Sheriff Kilgore stated his support of what is being presented. Administrator Deist noted that one of the things this does is look at a pilot area which is one of the things the Commission suggested back in 2004 with the original proposal and this effort is considerably different than that proposal as there is communication. Sheriff Kilgore concurred noting the discussions he and Ranger Marquart have had. Commissioner French noted for the record that he supports this proposal as he has confidence in the Winnemucca District. Manager Seidlitz noted that a draft of this proposal has been sent to Pershing County and he plans to come before that Board in the future but he has not engaged the other Counties but he will; he elaborated on the pilot program comment and commented on the manner in which business is done locally with involvement of the entities. Chairman Bell asked what was being requested from the Board today. Administrator Deist suggested that if any action is taken today it would be to encourage the BLM to continue down the road they are going and to keep the Board informed as to how things are developing not only for here but other Counties as well. Chairman Bell concurred as did Commissioners French and Amos. Chairman Bell stated that was the consensus of the Board and his appreciation of the presentation. Discussion occurred regarding the time frame for the process and the manners in which the public would be notified.

REQUEST FROM THE PARADISE VALLEY SEWER DISTRICT FOR ASSISTANCE (FINANCIAL OR SUGGESTIONS) RELATED TO THE CLEAN UP OF THE DECOMMISSIONED SEWER POND:

Provided to the Board for review was a letter from SPB Utility Services Inc. to the Nevada Division of Environmental Protection regarding the Sewer District's plan for cleanup of the decommissioned sewer pond and a copy of a memo from Road Superintendent Ben Garrett setting forth the estimate for the Road Department to do the clean up in the amount of \$22,495.00 (see attached). Kevin Kern of the Paradise Valley Sewer District Board appeared before the Commission and requested a loan from the County in order for the District to proceed with the clean up. Superintendent Garrett discussed the estimate and offered some corrections to the amount. Discussion occurred regarding the need for the cleanup, the estimate amount, the amount the District owed to the County for the lining of another pond, how County loans work and the process and the potential for savings if a contractor is used rather than the Road Department. After discussion Administrator Deist suggested that the loan be made to the District and that the Road Superintendent work with the

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District Board to find the best price. The following motion was made by Commissioner French and passed with Chairman Bell and Commissioners French, Cassinelli and Amos voting aye and Commissioner Fransway being absent:

To authorize the loaning of \$25,000 to the Paradise Valley Sewer District and direct Mr. Garrett to work with the District to try and fine tune the bid process to save money wherever they can and confirm compliance with the NDEP request for the cleanup.

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

RENEWAL OF THE CONTRACT WITH NDOT FOR STRIPING: Provided to the Board for review was a memo from the Road Superintendent detailing the NDOT Striping Contract and recommending that the County pursue continuation of the interlocal agreement for 10 years with a cap rate of \$18,000, an hourly increase for haul trucks to \$75 per hour and to continue to stripe all identified roads, a copy of the current contract and a listing of striping priorities for the County. Superintendent Garrett addressed the Board regarding the request to pursue renewal of the agreement noting that while the current agreement does not expire until December the process could take a while, explaining the current contract and the recommended increase and what is paid for by the County under the agreement. After discussion the following motion was made by Commissioner Cassinelli and passed with Chairman Bell and Commissioners French, Cassinelli and Amos voting aye and Commissioner Fransway being absent:

To pursue the agreement with a cap of \$20,000.00.

The Board agreed to the ten year period.

REPORT OF PENDING ROAD DEPARTMENT PROJECTS: Superintendent Garrett reported on the NDOT safety audit from Winnemucca Boulevard to SR 140 including what had been reviewed and the priorities identified, that grading was ongoing, the tentative start date for the mag chloride project and the preparations for said project, that the Soldier Meadows project with the BLM is done, the status of cattle guard replacements on Case Lane and an update on the bookmobile repairs. Commissioner French commented on his ride along on the bookmobile.

MISCELLANEOUS ROAD RELATED MATTERS: Commissioner Amos noted a phone call he had received regarding concerns with Lupine Road. Superintendent Garrett stated that road was scheduled to be discussed at the next Commission meeting. Commissioner French noted an inquiry he had received related to the cattle guard on Airport Road. Superintendent Garrett stated that would be addressed when the road was resurfaced.

PUBLIC COMMENTS: Chairman Bell asked for public comments. Ken Hladek noted comments in the community related to the hospital and a presentation by Hospital Administrator Parrish at the last Hospital Board meeting to put some of the myths to rest; he suggested that the Commission might consider a public show of support for the hospital and perhaps have Mr. Parrish make the same presentation to this Board. Commissioner French commented on some of the misrepresentations and the proposals he has made to the Hospital Board on how to address the issues. Chairman Bell

asked for additional public comments. None offered.

ADJOURNMENT: Chairman Bell adjourned the meeting at 12 10 p.m.

ATTESTED: J. Spew Clerk APPROVED: Mike Bell Chairman

UNOFFICIAL

MEMORANDUM

TO: COMMISSIONERS
FROM: ADMINISTRATOR
DATE: February 27, 2012
SUBJECT: CONSENT AGENDA

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

1. Authorize the Chairman to sign the grantee agreement for the transient service program:
Attached is the agreement. This is the agreement we enter into each year for the Senior Citizens transportation program.

Recommendation: That the Commission authorize the Chairman to sign the agreement.

MEMORANDUM

TO: COUNTY COMMISSIONERS

FROM: COUNTY ADMINISTRATOR

DATE: February 27, 2012

SUBJECT: OTHER INFORMATION AND UPCOMING MEETINGS

OTHER INFORMATION:**UPCOMING MEETINGS:**

- | | |
|--------------------|-----------------------------|
| 1. March 6&7, 2012 | HR Training Carson |
| 2. March 8, 2012 | Management Team |
| 3. March 9, 2012 | Video Conference Steve Hill |
| 4. March 14, 2012 | Investment Committee |
| 5. March 19, 2012 | Commission |

HUMBOLDT COUNTY TREASURER

Gina Rackley
Treasurer

50 West Fifth Street
Winnemucca, NV 89445
treasurer@hcnv.us

(775) 623-6444
FAX (775) 623-6440

MEMO

In preparation for the upcoming tax auction on April 13, 2012 I am submitting to you for your review and action regarding Assessor's Parcel Number 008-142-05 previously owned by Judy Magiera.

NRS 361.603 regarding acquisition of property held in trust states "*Whenever any local government or the Nevada System of Higher Education determines that a public purpose may be served by the acquisition of the property, it may make application to the board of county commissioners for permission to acquire the property.*"

Research into this parcel revealed that:

- The Magieras granted an easement to Humboldt County for a roadway in 1969.
- They did not receive a tax bill because this parcel was summarized to 8-142-08.
- When these parcels were unsummarized due to AB489 a tax bill was generated.
- Taxes have not been paid since 2007.
- Wilma Gordon deeded the adjacent property (8-142-04) to Humboldt County in 1986.
- Judy Magiera called on 5/12/08 stating that she thought she had already deeded this property to Humboldt County. She was informed that the only documentation that was found was the easement for the roadway.
- Judy Magiera stated that she was interested in deeding the property to the County as it is of no value to her. She stated that she would just quit paying the taxes and Humboldt County would end up with it anyway.

A certified letter was sent to Judy Magiera on November 14, 2011 notifying her that to redeem this property she would need to pay the amount of delinquent taxes, plus penalties, interest and costs no later than 5pm on February 29, 2012. There has been no communication or payment from Judy Magiera regarding this correspondence.

I believe that it is in the best interest of the public to retain this property by paying the delinquent tax amount of \$288.88 because Ydiando Street runs through this parcel and because Humboldt County already owns the adjacent parcel 8-142-04. Please see the attached map.

Sincerely,



Parcel List
for April 13, 2012 Auction
 15 Parcels

<i>Parcel #</i>	<i>Prior Owners</i>	<i>Addresses / Area</i>	<i>Acreage</i>	
005-363-09	Finance All LLC	Vicinity of Jungo Road	40.750	
005-402-10	Katt Holdings & Investments LLC	Vicinity of Jungo Road	40.450	
005-402-11	Katt Holdings & Investments LLC	Vicinity of Jungo Road	40.510	
005-522-01	Clyde H. Hodge and Georgia M. Hodge	Big Horn Street	4.230	
005-627-02	James P McNerney	Vicinity of Jungo Road	42.990	
005-647-02	Frontier Equity Properties, LLC	Vicinity of Jungo Road	42.230	
006-092-09	Vaden Franzman	Statler Drive & Winchester Road	10.000	
006-124-06	Edna I Loosbroock	4805 Browning Drive	30.000	
006-127-02	William R Hancock	Paiute Trail Road & Browning Drive	10.000	
007-211-36	Kenneth S Perry, Yvone J Perry and Wilda L Cox	Vicinity N of Pumpnickel Valley Rd	20.000	
007-404-06	L Bar Nevada LLC	Vicinity of Valmy Road	41.150	
008-142-05	Judith M Magiera	120 Ydiando Street	0.160	**
008-142-13	Thomas W Magiera	Sibbald Addition, Golconda	0.320	
014-251-01	Gene F Theimer and Fay A Theimer Trust	Wild Horse Road	9.570	
014-273-15	Harry Oshiro	Ann Drive	4.680	

** Parcel may be retained by Humboldt County



February 3, 2012

Mark Kaminski
Nevada Division of Environmental Protection
901 S. Stewart Street, #4001
Carson City, NV 89701

RE: Paradise Valley Pond Decommissioning

Dear Mr. Kaminski:

Thank you for your reminder of January 13th and I apologize for the delay of this reply.

With our previous letter, we included the sludge removal quote provided by Humboldt County. Per the quote, the high amount of pond vegetation could increase the haulage to over 1,000 cubic yards. (See attached.) If the high value is accurate, the hauling and disposal costs could exceed \$30,000. This is an excessive cost given that easily seventy percent of the material consists of dead/decaying vegetation or cellulose material from household disposal of paper products.

The quote came too late in the year to allow Paradise Valley to proceed with any major removal project. The proper time period for solids removal is June through September. We do plan to employ the assistance of the Paradise Valley Fire District to burn the dried vegetation prior to hauling. Weed growth that occurs in the spring needs to dry fully to allow effective burning. We could also employ pre-emergent to inhibit the weed growth but cattails and bulrush are tough to kill and we will need standing vegetation to promote an effective burn. The major portion of waste is on the pond side located next to the HDPE lined pond currently in use. This may be a concern because of potential damage to the liner while burning. We may need to pull some of the material away from the common berm and allow additional drying time.

The remaining material will be moved and stacked in the corner of the pond for testing and evaluation of the best method for ultimate disposal by county road personnel or private contractor. It is planned that final disposal to an approved site will take place no later than September 30, 2012

Paradise Valley Sewer District is open for any and all suggestions regarding our planned efforts or any other procedure which could reduce the high cost of disposal.

Please feel free to contact me with any questions, comments or suggestions at 775-329-7757.

Sincerely,

A handwritten signature in black ink, appearing to read "Kirk Peterson", written over a faint, large watermark that says "DRAFT".

Kirk Peterson
Certified Operator

cc: Paradise Valley Sewer District Board
Sylvia Dahl, Compliance Coordinator

Atch: Humboldt County Pond Cleanup Quote

September 20, 2011

To: Kirk Peterson
 From: Ben Garrett, Humboldt County Road Superintendent
 Subject: Paradise Valley Sewer Pond Cleanup

The pond measure roughly 200 feet by 200 feet, which equals approximately 750 cubic yards at 6 inches deep. With the vegetation on the surface the estimate could rise to 1,000 cubic yards of material. The material will need to be hauled to the landfill on Winnemucca Mountain. The trip will require a minimum of 2 hours round trip per 10 yards of material utilizing the end dump trucks. If belly dumps can be used the number of trips can be reduced.

Other equipment required to complete the cleanup are an equipment transport tractor and trailer, a wheel loader and a small dozer for 20 hours each plus labor.

Disposal of the material costs \$4.15 per cubic yard.

75-100 trips to the landfill equal 150-200 hours of equipment time and labor. The project will take 4 people 1 week minimum with the possibility of 2 weeks

Labor rate: \$32.50 per hour

End Dump rate: \$60.00 per hour includes maintenance, fuel and overhead.

End Dump Labor Range:	\$32.50 X 150= \$4,875.00	\$32.50 X 200= \$6,500.00
End Dump Equipment Range:	\$60.00 X 150= \$9,000.00	\$60.00 X 200= \$12,000.00
Totals=	\$13,875.00	\$18,500.00

Labor rate: \$2.50 per hour

Wheel Loader rate: \$52.00 per hour

Dozer rate: \$ 80.00 per hour

Equipment Transport Tractor Trailer rate: \$69.00 per hour

Labor Estimate:	\$32.50 X 20= \$ 650.00
Wheel Loader Estimate:	\$52.00 X 20= \$1,040.00
Dozer Estimate:	\$80.00 X 15= \$1,200.00
Equipment Transport Estimate:	\$69.00 X 10= \$ 690.00
Totals=	\$3,580.00

Disposal rate: \$4.15 per cubic yard

Disposal estimate:	\$4.15 X 75= \$311.25	\$4.15 X 100= \$415.00
Totals=	\$311.25	\$415.00

Total Cost Range:	<u>\$17,766.25</u>	<u>\$22,495.00</u>
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