

Monday, August 20, 2012

The regular meeting of the Humboldt County Board of Commissioners was called to order on Monday, August 20, 2012, at 9:36 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, Assistant Administrator Brenda Willey and Clerk of the Board Tami Rae Spero.

*(Recording system failure. Handheld device used)*

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

**DISCUSSION & ACTION ON CORRECTION/APPROVAL OF MINUTES - AUGUST 6, 2012**

**REGULAR MEETING:** Chairman Bell asked for corrections/additions for the minutes of August 6, 2012; Commissioner Fransway offered an amendment to the language on page 6 related to his comments about the host agreement; he requested that the statement be amended to read "*stated that it should be provided to the Commission before it is formally presented.*" The Board offered no objection. The following motion was made by Commissioner Fransway and passed unanimously:

*To adopt as corrected.*

**ADMINISTRATIVE REPORT:**

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

1. **Receipt of Clerk's 2<sup>nd</sup> Quarter Report:** A copy of the report was provided for the Board's review. *Recommendation: That the Commission acknowledges receipt of the report.*
2. **Request for adjustments to the Humboldt County Real Property Tax Roll:** Copies of the requests for adjustments were provided to the Board for review. *Recommendation: That the Commission approve the request as recommended by the Assessor and Treasurer.*

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

*To approve consent agenda as presented.*

**SOLID WASTE MATTERS:** Nothing presented for this item.

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

**ACTIONS:** Nothing presented for this item.

**MISCELLANEOUS REPORTS AND CORRESPONDENCE:**

**OTHER INFORMATION AND UPCOMING MEETINGS:** Nothing presented for this item.

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**REPORTS FROM COMMISSIONERS REGARDING OTHER BOARDS AND COMMITTEES**

**THEY SERVE ON:** No reports offered.

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

*To approve the financial report as presented.*

**UPDATE REGARDING THE PINE FOREST WSA:** Jim Jeffress, Back Country Land Coordinator for Trout Unlimited's Sportsmen's Conservation Project, appeared before the Board to update them on the status of the Pine Forest Wilderness Study Area bill which is currently making its way through Congress; he noted the lack of progress of the bill. Discussion occurred regarding what has been involved in getting the bill to this point and what could be done to complete it. Commissioner Fransway commented on the effect of politics on the progress of the bill and suggested that the Commission draft a letter to Chairman Doc Hastings of the House Natural Resources Committee in support of marking up the bill. Discussion occurred regarding the standing of the National Association of Counties letter related to the bill. After discussion the following motion was made by Commissioner Fransway and passed unanimously:

*To send a letter to Chairman Hastings of the House Natural Resources Committee asking him to do what he can to mark up the Pine Forest WSA bill.*

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

**REVIEW OF THE 911 FIVE YEAR PLAN IN RELATION TO THE ORDINANCE**

**PREVIOUSLY ADOPTED:** Provided to the Board at the meeting was a copy of the 911 Tax Committee's agenda, the Humboldt County 911 Tax Committee 5 year plan, a copy of AT&T Hosted E911 Services for Humboldt County SO proposal, a copy of Ordinance 09-08-09b adding Chapter 8.44 to County Code and estimates of costs monthly and yearly for the Enhanced 911 service with both the existing MAARS/VISTA with E911 and with a 5 year AT&T hosted E911 (see attached). Sheriff Kilgore reviewed the items presented to the Board including the cost summary and the potential revenue projections. Discussion occurred regarding the true costs per year and the potential revenues amounts which would not be sufficient to cover the costs. Sheriff Kilgore requested approval to proceed with the project. District Attorney Macdonald reviewed the previously pasted ordinance noting that the telephone surcharges cannot be imposed until the Commission adopts the five year plan. The following motion was made by Commissioner Cassinelli and passed unanimously:

*To adopt the five year plan.*

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

**MR. SMITH'S RECONSIDERATION REQUEST REGARDING THE USE OF MAGNESIUM CHLORIDE ON SAND PASS ROAD:** Provided to the Board for review was a copy of a petition requesting that the Commission reconsider applying magnesium chloride to Sand Pass Road or find an alternative solution for the dust problem, copies of photos of traffic on the road with dust and a copy of a letter from other residents of the area requesting that the Board not use magnesium chloride on the road due to issues with it being slippery when wet and safety concerns. Superintendent Garrett reviewed the petition submitted by Don Smith on July 30, 2012 including the signers many of whom were freight transporters and the letter included from Ed Evans of Widget Transport Inc. in support of the application of a dust palliative; he discussed the issues that can occur with magnesium chloride. Commissioner French stated that he had spoken to many of the residents of the area and it appeared that a vast majority of them were opposed to the application of mag chloride; he stated his belief that the County should not force them to accept it. It was noted that Don Smith, who was requesting the reconsideration, had been notified of this hearing but had been unable to attend. Toby Brinkerhoff, a resident of Sand Pass Road, spoke in opposition to applying mag chloride or enzyme to the road due to the mess created and safety issues when the road got wet; he stated that he has spoken to a representative of the Humboldt County School District and they did not support the use of mag chloride due to the issues it would cause for the school bus going over the mountain and that they would come to a Commission meeting in the future to confirm that, if necessary. Chairman Bell asked if there was anyone present to speak in support of the reconsideration. No one offered comment. Mr. Brinkerhoff noted that Mr. Smith has sold his farm and will be moving. Administrative Assistant Willey stated that she had confirmed the sale. The following motion was made by Commissioner Amos and passed unanimously:

*To deny the request.*

**SET FOR PUBLIC HEARING - The Petition to Designate as a "Minor County Road" in accordance with NRS 403.170(3) and NRS 405.191 and the Petition to Locate and Open to Public Use in accordance with NRS 403.430(1) and NRS 405.195 submitted by Schroeder Law Offices, P.C., on behalf of John DeLong, Judy, DeLong, Will DeLong, Katie DeLong and DeLong Ranches Inc., and by other freeholders and residents of Humboldt County, concerning roads in northwestern Humboldt County, commonly known as Bliss Spring Road, Buckbrush Springs Road, Bull Creek Road, Cedar Creek Road, Christenson Spring Road, Clover Creek Road, Deer Creek Reservoir Road, Donna Schee-Noble Spring Road, Louse Creek Diversion Road, Louse Creek**

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Road, Lower Mary Sloan Road, North Fork Jackson Creek-Upper Mary Sloan Road, Quinn River Diversion and Ditches Road, Seven Springs Road, Shawnee Creek Road, South Jacksons Road, Sweeney Field Road, Talimidas Spring Road, Willow Springs Road, White Point Spring Road (aka Little Buckbrush Spring Road), South Bliss Spring Road, Hobo Canyon Road, Salt Water Well Road, Three C's Well Road, Little Cedar Creek Road, Alaska Canyon Road and McGill Canyon Road: Provided to the Board for review was a copy of the Petition to Designate as a "Minor County Road" in accordance with NRS 403.170(3) and NRS 405.191 and a Petition to Locate and Open to Public Use in accordance with NRS 403.430(1) and NRS 405.195 for the County Roads detailed in the title of the public hearing and copies of the recorded documents for Minor County Road (Amended). Therese Ure of Schroeder Law Office P.C. representing DeLong Ranches and John DeLong appeared before the Board. Chairman Bell read the title of the item to be set to public hearing. Ms. Ure addressed the Board reviewing what this request entails and asking to add Jackson Creek Road and delete Willow Springs Road, that the request would be for a 1 1/2 hour hearing and noting that the goal of this request is to designate the roads as Minor County/RS 2477 Roads to allow the roads to remain open as they are on public lands; she explained the need for ongoing access to the roads. Katie DeLong addressed the Board from the audience noting that the action would not only open the roads to the land owners but would also allow for public use. Commissioner French asked if the roads were currently closed. Ms. Ure replied that they were not but they are on federal lands which may fall into a WSA at some point. Bob Schweigert of Intermountain Range Consultants commented on some of the roads included. Commissioner Fransway asked if any of the roads are already designated as RS 2477 roads. Superintendent Garrett responded that there may be one but that he will check on the status prior to the public hearing. The following motion was made by Commissioner Fransway and passed unanimously:

*To set to public hearing the designation of miscellaneous roads as Minor County Roads.*

**REPORT OF PENDING ROAD DEPARTMENT PROJECTS:** Superintendent Garrett reviewed the upcoming chip seal project, road repairs, fire assistance provided in the Paradise Valley area and the status of the 3<sup>rd</sup> well at Jungo.

**MISCELLANEOUS ROAD RELATED MATTERS:** Discussion occurred regarding the Road Department's involvement with assisting on fires.

*Chairman Bell stated that as it was time for item 7, a public hearing, the Commission would proceed with that and return to item 6 after the hearing.*

**PLANNING MATTERS:**

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**PUBLIC HEARING RH-12-07 - A zone change application submitted by Rodney J. Glinsmann to change the zoning on his property from M - 1 (Industrial District) to AG-5 (General Agricultural District). The subject property is located at 7200 Pine Road; APN 013-233-20:** Provided to the Board for review was a copy of the Planning Department Status Report recommending approval and a copy of the application with map attached. Chairman Bell read the title of the item set to public hearing and noted that no representatives of the Planning Department were present but that the Department had recommended approval of the application. Chairman Bell asked for questions from the Commission. None offered. Chairman Bell asked for public comment. None offered. Applicant Rodney Glinsmann stated his support of the request. The following motion was made by Commissioner Amos and passed unanimously:

*To approve the zone change as submitted by Rodney Glinsmann to change the zoning on his property from M - 1, industrial district to AG-5, general agricultural district on Assessor's Parcel Number 013-233-20.*

*(Ordinance 08-20-12)*

**REQUEST FOR FINANCIAL ASSISTANCE FROM SHOW AND SALE COMMITTEE REGARDING CONCRETE WORK IN AND AROUND THE JUNIOR LIVESTOCK PAVILION AT THE HUMBOLDT COUNTY FAIRGROUNDS:** Dave Louk representing the Show and Sale Committee appeared before the Board. Mr. Louk explained the improvements which were occurring in and around the junior livestock pavilion including the pouring of new concrete; he requested assistance with the cost of \$2,073.75 for the concrete noting that the labor had been done with volunteers and the funds would go back into the show and sale funds which are used for funding scholarships. After discussion about the project Commission Amos noted that the work had occurred at a county owned facility, that the improvement was needed and that the labor had been donated so he supported the reimbursement. Commissioner French concurred noting that it was an improvement to a county facility. The following motion was made by Commissioner Amos and passed unanimously:

*To compensate the Show and Sale Committee for concrete work in the amount of \$2,073.75.*

**ADOPTION OF A JOINT RESOLUTION BY THE HUMBOLDT COUNTY BOARD OF COMMISSIONERS WITH CITIES, COUNTIES AND LOCAL GOVERNMENT ENTITIES ACROSS NEVADA IN SUPPORT OF POST SECONDARY EDUCATION AND SERVICES PROVIDED BY GREAT BASIN COLLEGE TO NEVADA CITIZENS IN RURAL NEVADA:**

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Provided to the Board for review was a copy of the resolution passed by the Elko County Commission, a copy of testimony by John Carpenter to the Committee to Study the Funding of Higher Education's Community college Funding Subcommittee and a copy of the proposed joint resolution. Discussion occurred regarding the meeting which had occurred on August 3<sup>rd</sup> related to concerns about funding reductions for rural post secondary education budgets and the need for all the counties affected to support getting the funding into the State's budget for the community college programs. After discussion the following motion was made by Commissioner Amos and passed unanimously:

*To approve the resolution as presented.*

*(Resolution No. 08-20-12)*

**SECURE RURAL SCHOOLS RESOLUTION IN THE MATTER OF THE FY 2012 EDUCATION FOR NATIONAL FOREST RELATED SAFETY-NET PAYMENT:** A copy of the proposed resolution was provided to the Board for review. Comptroller Sondra Schmidt appeared before the Board and explained the need for the resolution. The following motion was made by Commissioner Fransway and passed unanimously:

*To adopt.*

*(Resolution No. 08-20-12a)*

**PUBLIC HEARING TO CONSIDER TAKING ACTION TO CONFIRM AN INTER-FUND LOAN FROM THE BUILDING RESERVE FUND OF THE COUNTY, THE AMOUNT NOT TO EXCEED \$105,500, TO THE MCDERMITT FIRE PROTECTION CERTIFICATE FUND AS INTERIM FINANCING IN CONNECTION WITH THE DISTRICT'S FIRE STATION EXPANSION:** A copy of the proposed resolution was provided to the Board for review. Bill Macdonald, legal counsel for the McDermitt Fire Protection District appeared before the Board. Chairman Bell read the title of the item set to public hearing. Mr. Macdonald discussed what had occurred previously with this matter and stated that this is part of the process set forth by the bond counsel to allow for the interim financing; he detailed the time line for the project and financing noting that the closing date for the USDA loan was set for December 7<sup>th</sup>. Chairman Bell asked the Commission for questions. None offered. Chairman Bell asked for public comment. None offered. Discussion occurred regarding the need to the interim financing to allow the project to go to bid this year so the expansion could be completed while the weather was good. The following motion was made by Commissioner Cassinelli and passed unanimously:

*To approve the inter fund loan to the McDermitt Fire Protection Certificate Fund and to*

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*adopt the resolution.*

*(Resolution No. 08-20-12b)*

**REVIEW OF NUISANCE COMPLAINT CONCERNING THE PROPERTY OWNED BY ROBERT SHELL AND BEVERLY SHELL LOCATED AT 4650 W. WINNEMUCCA BOULEVARD, WINNEMUCCA, NEVADA, APN 013-053-38:**

Building & Safety Director Bobby Thomas appeared before the Board. Director Thomas presented an update on the status of the nuisance at 4650 W. Winnemucca Boulevard including the meetings which had occurred with the property owner, the actions taken by the Winnemucca Rural Fire Chief related to the burning of combustibles at the site and the property owner's actions in screening the location in a manner which does comply; he stated that he had not received any information indicating further complaints and that he had kept in contact with the District Attorney. Based on questions from Chairman Bell, Director Thomas discussed the type of business license currently held by Mr. Shell and that the occupant, Mark Sharp, does not have a license to conduct business in this county. Commissioner French commented that this issue has been ongoing for 18 months, that the appearance is that sales and business activities are occurring at the site and stated his belief that the property owner is taking advantage of the good will of the Commission; he continued noting that the sheds are being built and used as fencing, that the salvage operation is not being dealt with, that what is happening is not in the best interest of the County and is flying in the face of the County Ordinances. Commissioner Fransway noted that this Board took action by referring the matter to the District Attorney after giving the property owner time to mitigate the problem and still the nuisance has not been abated and that is not acceptable; he suggested that the Commission re-affirm the action taken and ask the District Attorney to make it a top priority to do what is necessary to get the property owner and occupant to abate the nuisance. District Attorney Macdonald commented on Mr. Sharp's business in the Cosgrave area, that the use of the sheds for screening was acceptable under the code and that the Building Department Director was comfortable that there are no longer any hazardous activities ongoing; he stated that prosecution for conducting business without out a license could not occur without proof beyond a reasonable doubt and at this time that proof does not exist. Discussion occurred regarding Mr. Sharp's business in Pershing County. The following motion was made by Commissioner Fransway and passed unanimously:

*That the Commission restates the earlier motion to refer this nuisance to the District Attorney's Office for final abatement to be done expeditiously.*

Discussion occurred as to whether the property owner and/or occupant were aware of this hearing

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and that it was not known if they knew about it or not. District Attorney Macdonald discussed the issue of proving that a business was being conducted and stated that he would continue to pursue the matter and keep the Board posted. Commissioner Fransway asked that it be sooner rather than later and that if it can't be done that the Board be notified. District Attorney Macdonald commented on the difference between a violation of the nuisance ordinance and conducting a business without a license and referred to what had been accomplished in addressing the issues of the nuisance complaint. Commissioner Fransway stated that the property was offensive to the senses and was diminishing property values in the area.

**MEETING WITH NDEP REGARDING SOLID WASTE LANDFILL PERMIT #SW495REV00, JUNGO LANDFILL AND MATTERS RELATED THERETO:** District Attorney Macdonald addressed the Board regarding his contact with representatives of the Nevada Division of Environmental Protection related to underlying owner of the property for which the solid waste landfill permit had been issued; he stated that they are investigating the ownership of the land and that they had been unable to attend today's meeting but had requested that a list of questions and concerns be put together and submitted and that they offered to come out to a future meeting to address those issues. Commissioner Fransway commented on his disappointment that NDEP had not considered it a priority to appear at the meeting and answer the questions; he continued commenting on the need for the County to go on the offensive, that the issue with the permits needs to be resolved or the permits need to be revoked, the problems with both the solid waste permit and the air quality permit relative to the whose names are on the permits, how those names are different from the holder of the conditional use permit and the need for the County to know who would be held accountable now that Nevada Land & Resources no longer owns the property. He continued questioning how the solid waste permit could be valid as the holder of that permit does not have the required conditional use permit as that was issued under another name as well as the fact that the property has changed hands and the permits are not transferrable per statute. Commissioner Fransway also questioned why NDEP had made no reference to the Dr. Lee report which the Commission had offered as their submitted comments to the permit application; he stated that now is the time to get aggressive and he suggested that the Commission write a letter to NDEP and ask them to rescind the permits based on not being valid and not complying with the requirements and then the company would need to start over and go to the Regional Planning Commission for a conditional use permit. District Attorney Macdonald offered to look at any information Commissioner Fransway had available. Commissioner French expressed frustration with NDEP and the situation with them issuing an operating permit to a company that no longer owns the property plus issuing permits to a company who

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has filed an affidavit of non-responsibility as to the property; he stated that he wants proof that New Nevada Lands has followed through with the requirements set forth in statute for a transfer. Discussion occurred regarding the questions that need to be asked of NDEP including the requirements for transfer, the time line of the property sale and issuance of permits, whether NDEP had been properly notified of the change in ownership, why NDEP issued a permit to a prior property owner who had absolved themselves of responsibility, whether the solid waste permit is valid, will the State allow the company to alter the permit, who provides the evidence of financial responsibility, why did the company not disclose the deed transfer and what will NDEP do now. Commissioner French reiterated the need to aggressively pursue NDEP to come clean as to the permit and to determine who would be responsible for the cleanup. Commissioner Fransway stated his belief that the permit is not right and not valid. Commissioner Cassinelli asked if the Commission was in agreement to provide questions to NDEP. Chairman Bell stated his agreement. Commissioner Fransway stated that a request should be made to NDEP to rescind the action as to the issuance of the permits. Commissioner French noted that any action related to the permits falls to NDEP but the Board should send a letter requesting answers from NDEP to the questions discussed. Chairman Bell asked if there were any suggestions for questions from the public. Mike Meagher addressed the Board and discussed his contact with NDEP, the Attorney General's Office and the Governor's Office, the mess created by NDEP with putting it on the permittees as to the ability to change the name, the subpoena power of the Commission, his request to the Attorney General that the matter be looked into and the ability of the Commission for impaneling a grand jury. Commissioner Cassinelli voiced concern about the County being sued again and suggested that those members of the public, who are questioning the matter, proceed against the company. Mr. Meagher responded that the citizens have no standing but the Commission does, that the Board needs to do what is right and represent the community as they were elected to do, that the permit is bad and the County shouldn't be punished for playing by the rules. Discussion ensued between Commissioner Cassinelli and Mr. Meagher regarding the issue. Chairman Bell asked if it was the consensus of the Board to submit the questions and ask NDEP to appear at a meeting to answer the questions. Commissioner French commented that seemed the best course of action, to collect as much information from everyone and get the questions to NDEP quickly. Discussion ensued regarding the time frame for submission of the questions. Commissioner Fransway referred to the permit application and the language contained in it and stated that Jungo Land does not have a valid permit and the County should tell NDEP that they do not believe the permit is valid so NDEP needs to come here say why the permit is valid. Mr. Meagher continued commenting on the

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change of ownership issue and the standing of the elected officials in the matter. Chairman Bell suggested that the Board move forward with the questions offered. Audience member Richard Cook asked if any further public comment would be allowed on this item. Chairman Bell stated that a consensus had been reached regarding the questions to be submitted. District Attorney Macdonald recommended that public comment continue. Richard Cook addressed the Board commenting on NDEP being caught flat footed as they were allowing self reporting, issues with Recology's practices which make self reporting wrong, issues with the information presented to NDEP and their findings related to the prevailing wind direction in the area and his belief that NDEP will do whatever Recology tells them to do. Commissioner Cassinelli noted that there was no one from NDEP to respond to Mr. Cook's statements. Chairman Bell noted the need to provide productive questions and suggested that any questions regarding the land change issue from the audience be presented in writing to the Administrator's Office as soon as possible. Commissioner French commented on the fact that with the permits issued and things being more clear now, some of the prior issues may be more pertinent. Commissioner Fransway reiterated his request that a challenge to the validity of the permits be included with the questions. Discussion occurred as to what questions would be appropriate. Mr. Cook inquired about the appeal. Chairman Bell questioned what appeal as what is before the Board is the land issue and that is what is being dealt with. Discussion occurred regarding the solid waste permit appeal. Commissioner Fransway questioned why Humboldt County's comments in the form of Dr. Lee's report had not been discussed or considered by NDEP; he offered comment on the need to pursue the issue rather than capitulating due to the law suit. Commissioner French noted that NDEP holds the legal responsibility not Humboldt County. Discussion occurred regarding Commissioner Fransway's comments that NDEP needs to be told the permits are invalid. Chairman Bell stated that all questions would be run by legal. Rodd Stowell addressed the Board stating that this is not Recology's problem it is NDEP's dereliction of duty as well as the Attorney General's fault and that NDEP owes it to the taxpayers to make an appearance here to answer the concerns and questions. District Attorney Macdonald asked for clarification as to the letter. Direction provided was that the questions would go to the Administrator's Office, that both the Chairman and the Vice-Chairman would sign the letter, that the letter would be sent out by Wednesday at 12:00 p.m. and the request would be for NDEP to appear at the next meeting. The following motion was made by Commissioner Fransway and passed unanimously:

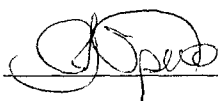
*To submit a letter of questions to NDEP regarding the validity of the solid waste permit and air quality permit, that the letter be sent by the end of the work day on Wednesday*

*and that any questions go to the Commissioners' Office no later than Wednesday at noon.*

**PUBLIC COMMENT:** Chairman Bell asked for public comment. Debra Lyon appeared before the Board and offered her support for writing the letter to NDEP to get the ball rolling and commented on the concerns of the community. District Attorney Macdonald noted for the record that there had been a malfunction of the recording system and that a digital recorder had been placed on the table for backup. Commissioner Fransway asked if he needed to amend his motion on the prior item to include language requesting NDEP to answer the questions and attend a meeting. District Attorney Macdonald confirmed the understanding as to that being the intent all along and noted that the letter will include a request to be at the September 4<sup>th</sup> meeting.

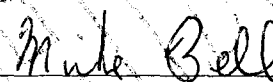
**ADJOURNMENT:** Chairman Bell adjourned the meeting at 12:50 p.m.

ATTESTED:



Clerk

APPROVED:



Chairman

## MEMORANDUM

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TO: COMMISSIONERS  
FROM: ADMINISTRATOR  
DATE: August 20, 2012  
SUBJECT: CONSENT AGENDA

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

1. Receipt of Clerk's 2nd Quarter Report: Attached is said report.

*Recommendation: That the Commission acknowledges receipt of the report.*

2. Request for adjustments to the Humboldt County Real Property Tax Roll: Attached are the requests.

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

HUMBOLDT COUNTY 911 TAX COMMITTEE  
WINNEMUCCA, NV 89445

MEETING ANNOUNCEMENT

Members: Jordan Passey, Chairman  
Eva Tregellas, Secretary  
Ric Grantham, Member  
David Allen, Member

Date of Meeting: October 26, 2011

Time: 2pm – 3pm

Location: Humboldt County Commissioner's Meeting Room

Agenda:

2pm – Call to order.

Discussion of 5 year plan, costs established from AT&T contract.

Presentation of 5 year plan to representative of Humboldt County Sheriff Office Administration.

2:45 pm – Public commentary, questions, review.

3 pm – Adjournment of meeting.

Notices posted on 10-20-2011 at Humboldt County Courthouse, Winnemucca City Hall, Humboldt County Library, and Winnemucca Police Department.

HUMBOLDT COUNTY 911 TAX COMMITTEE

5 YEAR PLAN

October 21, 2011

nemucca City

FISCAL YEAR 2011-2012

MONTHLY RECURRING CHARGE

AT&T Hosted Enhanced 911 System	\$7,876.88
Humboldt Telephone Company router costs**	663.20
Total:	\$8,540.08

ONE TIME FEE

AT&T Hosted Enhanced 911 System	\$4,835.00
Humboldt Telephone Company router costs**	900.00
Total:	\$5,735.00

eriff Office

FISCAL YEAR 2012-2013

MONTHLY RECURRING CHARGE

AT&T Hosted Enhanced 911 System	\$7,876.88
Humboldt Telephone Company router costs**	663.20
Total:	\$8,540.08

FISCAL YEAR 2013-2014

MONTHLY RECURRING CHARGE

AT&T Hosted Enhanced 911 System	\$7,876.88
Humboldt Telephone Company router costs**	663.20
Total:	\$8,540.08

FISCAL YEAR 2014-2015

MONTHLY RECURRING CHARGE

AT&T Hosted Enhanced 911 System	\$7,876.88
Humboldt Telephone Company router costs**	663.20
Total:	\$8,540.08

FISCAL YEAR 2015-2016

MONTHLY RECURRING CHARGE

AT&T Hosted Enhanced 911 System	\$7,876.88
Humboldt Telephone Company router costs**	663.20
Total:	\$8,540.08

**\*\*AT&T not responsible for Humboldt Telephone quote**

CONFIDENTIAL

## AT&T Hosted E911 Services for Humboldt County SO

9/27/2011

AT&T shall install and configure a new 4 Position Sentinel/Patriot system for Humboldt County Sheriff. This system will be Hosted by AT&T and provided to the Agency as a service. All equipment will be owned and maintained by AT&T. By locating the 911 controller equipment in Reno, the agency can be provided enhanced 911 services out of the Reno Selective Router. Service such as ANI, ALI and Abandon Calls for both wireline and wireless calls. By leveraging these enhancements along with the included mapping, the agency can also identify the location of wireless calls.

	Monthly Recurring Charge	One Time Fee
AT&T Hosted Enhanced 911 System-	\$7,876.88	\$4,835.00
Humboldt Telephone Company Quoted Cost to Deliver HTC 911 calls to Reno Selective Router- **	\$663.20	\$900.00
Total Agency Costs-	\$8,540.08	\$5,735.00

\*\* AT&T not responsible for HTC quote



**Summary:** An ordinance adding Chapter 8.44 to the Humboldt County Code, pursuant to Nevada Revised Statutes 244A.7641 through 244A.7647, to establish an advisory committee and to authorize a telephone line surcharge for the enhancement or improvement of telephone systems used for reporting emergencies, and other related matters.

**Bill Number** 08-17-09b

**Ordinance Number** 09-08-09b

AN ORDINANCE ADDING CHAPTER 8.44 TO THE HUMBOLDT COUNTY CODE, PURSUANT TO NEVADA REVISED STATUTES 244A.7641 THROUGH 244A.7647, TO ESTABLISH AN ADVISORY COMMITTEE AND TO AUTHORIZE A TELEPHONE LINE SURCHARGE FOR THE ENHANCEMENT OR IMPROVEMENT OF TELEPHONE SYSTEMS USED IN REPORTING EMERGENCIES, AND OTHER RELATED MATTERS.

**THE BOARD OF COUNTY COMMISSIONERS OF HUMBOLDT COUNTY, NEVADA, DO ORDAIN:**

**SECTION 1.** Title Eight (8) of the Humboldt County Code is amended by adding Chapter 8.44 to read as follows:

Chapter 8.44

**SURCHARGE FOR ENHANCEMENT OR IMPROVEMENT OF TELEPHONE SYSTEM USED FOR REPORTING EMERGENCIES**

**Sections:**

- |          |                                                                                                                            |
|----------|----------------------------------------------------------------------------------------------------------------------------|
| 8.44.010 | Authority and Purpose.                                                                                                     |
| 8.44.020 | Definitions.                                                                                                               |
| 8.44.030 | Establishment of an advisory committee to develop a plan to enhance or improve telephone system for reporting emergencies. |
| 8.44.040 | Chair, election and duties.                                                                                                |
| 8.44.050 | Rules, regulations and bylaws.                                                                                             |
| 8.44.060 | Quorum.                                                                                                                    |
| 8.44.070 | Meetings.                                                                                                                  |
| 8.44.080 | Imposition of telephone surcharge.                                                                                         |
| 8.44.090 | Creation of special revenue fund; use of money in fund.                                                                    |
| 8.44.100 | Penalty for failure to remit surcharges.                                                                                   |

**8.44.010 Authority and Purpose**

This chapter is enacted pursuant to Nevada Revised Statutes ("NRS") 244A.7641 through 244A.7647 for the following purposes:

1. To establish an advisory committee to develop a five year master plan for the enhancement or improvement of the telephone system for reporting emergencies in Humboldt County and to oversee any money allocated for that purpose.

2. To impose a surcharge for the enhancement or improvement of the telephone system for reporting emergencies in Humboldt County on:
  - a. Each access line or trunk line of each customer to the local exchange of any telecommunications provider providing those lines in Humboldt County; and
  - b. The mobile telephone service provided to each customer of that service whose place of primary use is in Humboldt County.

#### 8.44.020 Definitions

As used in this chapter, the words and terms defined in this section have the meanings ascribed to them under NRS Chapter 244A.

#### 8.44.030 Establishment of an advisory committee to develop a plan to enhance or improve telephone system for reporting emergencies

1. The Board of County Commissioners of Humboldt County ("Board") hereby creates a five member advisory committee called the "9-1-1 Surcharge Advisory Committee" to develop a five year master plan for the enhancement or improvement of the telephone system for reporting emergencies in Humboldt County, and to oversee any money allocated for that purpose. The master plan must include an estimate of the cost of the enhancement or improvement of the telephone system and all proposed sources of money for funding the enhancement or improvement. The five member advisory committee shall consist of the following:

- a. Members will serve without compensation.
- b. A member appointed to the committee must:
  - (1) Be a resident of Humboldt County.
  - (2) Possess knowledge concerning telephone systems for reporting emergencies; and
  - (3) Not be an elected public officer.
- c. As Humboldt County has a population of less than 100,000, at least one member of the committee must be a representative of an incumbent local exchange carrier that provides service to persons in Humboldt County.

2. Members will be selected at large by the Board at its discretion.

3. The Board must appoint members for a term of two years, except for the initial terms. In order to stagger the terms, the Board must set the initial appointed members' terms to provide for terms of three of the appointed members to end on December 31, 2011, and for the terms of two of the appointed members terms to end on December 31, 2010. A member may be reappointed to subsequent terms of two years. Any vacancy occurring during a member's term will be filled by the Board. A person appointed to fill a vacancy occurring during a term must serve out the unexpired term of the member replaced.

**8.44.040 Chair, election and duties**

1. The committee must elect from its membership a chair and vice-chair.
2. The first election of the chair and vice-chair shall be in January 2010, and the terms of the chair and vice-chair shall be for one year, unless re-elected by the membership.
3. The chair will preside at meetings and be the signatory of any correspondence necessitated by operation of the committee.
4. The vice-chair will carry out the duties of the chair in his/her absence.
5. A member may be removed by the Board for good cause.

**8.44.050 Rules, regulations and bylaws**

The committee may adopt rules, regulations and/or bylaws regarding its meetings and procedures.

**8.44.060 Quorum**

Three members of the committee will constitute a quorum and action may be taken upon an affirmative vote of a majority of a quorum.

**8.44.070 Meetings**

The committee must hold a public meeting not less than quarterly. Any member of the committee may request a meeting of the committee for special purposes. Such requests shall be made to the chair, or in his/her absence, the vice-chair. The conduct of the meetings of the committee, including but not limited to providing notice, taking minutes, recording meetings, and retaining records, must comply with the provisions of NRS Chapter 241, Nevada Open Meeting Law.

**8.44.080 Imposition of telephone surcharge**

1. Imposition of the surcharges set forth in this section will not commence until the Board adopts a five year master plan as set forth in section 8.44.030.
2. When the Board imposes a surcharge for the enhancement of the telephone system for reporting emergencies in Humboldt County, the surcharge will be placed on:
  - (a) Each access line or trunk line of each customer to the local exchange of any telecommunications provider providing those lines in Humboldt County; and
  - (b) The mobile telephone service provided to each customer of that service whose place of primary use is in Humboldt County.
3. The surcharge on access lines to the local exchange of a telecommunications provider will be twenty-five cents (\$0.25) per month per line.
4. The surcharge on trunk lines to the local exchange of a telecommunications provider will be two dollars and fifty cents (\$2.50) per month per line.
5. The surcharge for each telephone number assigned to a customer by a supplier of mobile telephone service will be twenty-five cents (\$0.25) per month per telephone number.
6. A telecommunications provider that provides access lines or trunk lines in Humboldt County and a supplier that provides mobile telephone service to customers in Humboldt County must collect the surcharge from its customers each month. Except as otherwise provided in NRS 244A.7647, each telecommunications provider and supplier must remit the surcharge it collects to the Humboldt County Treasurer no later than the 15th day of the month after the month it receives payment of the surcharge from its customers. In accordance with NRS 244A.7647, a