

Monday, October 15, 2012

The regular meeting of the Humboldt County Board of Commissioners was called to order on Monday, October 15, 2012, at 9:30 a.m. in the regular place of meeting at the Courthouse, Winnemucca, Nevada. Those present were Chairman Mike Bell, Commissioners Dan Cassinelli, Tom Fransway and Garley Amos Jr., District Attorney Michael Macdonald, Acting Administrator Brenda Willey and Clerk of the Board Tami Rae Spero. Commissioner Jim French attended the morning session via teleconference and the afternoon session in person.

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

**DISCUSSION & ACTION ON CORRECTION/APPROVAL OF MINUTES - OCTOBER 1, 2012:**

No minutes were submitted for consideration.

Discussion occurred regarding a letter received from the BLM related to identifying plant species for a proposed listing and proposed critical habit rules. The Board agreed that the BLM and/or Fish & Wildlife should be invited to attend a meeting and discuss the issue.

**ADMINISTRATIVE REPORT:**

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

1. **Request for adjustment to the Humboldt County Real Property Tax Roll:** Requests from Rosasco and Lambert 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 the consent agenda as presented.*

**SOLID WASTE MATTERS:** Acting Administrator Willey stated that she 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:** Acting Administrator Willey stated that she had nothing on this item.

**MISCELLANEOUS REPORTS AND CORRESPONDENCE:**

**OTHER INFORMATION AND UPCOMING MEETINGS:** It was noted that the November Humboldt Development Authority meeting has been cancelled. Acting Administrator Willey informed the Board that she and Chairman Bell would be meeting with the President of the University of Nevada-Reno regarding the Cooperative Extension issue. Discussion ensued regarding the matter and Commissioner Amos indicated that he would be attending the meeting as well.

10/15/2012

Page 1 of 12

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

**THEY SERVE ON:** Commissioner Amos reported on tour of Newmont that he had gone on.

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

*To approve the claims for expenditures as presented.*

**REQUEST FROM THE COMPTROLLER'S OFFICE FOR A WAIVER TO THE ATTRITION POLICY FOR AN ACCOUNTING TECHNICIAN POSITION WHICH IS COMING VACANT**

**OCTOBER 22, 2012:** Provided to the Board for review was a memo from Comptroller Sondra Schmidt detailing the request for the waiver. Comptroller Schmidt appeared before the Board and spoke in support of the request. The following motion was made by Commissioner Fransway and passed unanimously:

*To grant the waiver.*

**REQUEST FROM THE COMMUNICATIONS DEPARTMENT FOR A WAIVER TO THE ATTRITION POLICY FOR TV/COMMUNICATIONS DIRECTOR POSITION WHICH IS COMING VACANT NOVEMBER 26, 2012:**

Communications Director Paul Burkholder appeared before the Board. Director Burkholder informed the Board that the communications technician had been let go prior to the meeting and therefore he did not think it would be appropriate to retire at this time but he was making a request for a waiver to the attrition policy for the technician position. Acting Administrator Willey stated that the request would need to be agendaized. The Board and District Attorney concurred. Discussion occurred regarding the ability to begin advertising to obtain a list of potential applicants if the waiver is granted at a future meeting. As to the TV/Communications Director position, Director Burkholder stated that ideally he would just like to extend his planned retirement date out like ninety days so he would still like to pursue the waiver for the hiring of that position. Chairman Bell requested that the job description for the director be looked at before the waiver is approved and the position advertised. Commissioner Cassinelli did not disagree with the request but asked why the waiver could not be granted. District Attorney Macdonald asked if, the Chairman's request was to grant the waiver of the policy, but before applications are accepted and those sorts of things, the Commission wants to review the director's job description. Chairman Bell concurred. Discussion occurred regarding obtaining a job description, the length of time Director Burkholder is willing to stay on the job and the possibility of promoting from within the department. Acting Administrator Willey recommended that it would be a good opportunity to evaluate the entire structure of the department and how it could possibly

10/15/2012

Page 2 of 12

fit in with the IT department. Chairman Bell concurred and said that is what he wants to be evaluated. Acting Administrator Willey discussed research she had done into how other entities handle their communication departments. After discussion the following motion was made by Commissioner French and passed unanimously:

*To approve a waiver to the attrition policy with a stipulation that the actual hiring of the position does not occur until a review of the job description has been completed.*

Discussion occurred regarding the status of the radio communications system in Valmy.

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

**REQUEST FOR APPROVAL OF PRE-AUTHORIZED OVERTIME FOR THE COUNTY**

**CLERK'S OFFICE FOR THE UPCOMING GENERAL ELECTION:** Clerk Spero spoke in support of the request for overtime for her staff for the upcoming General Election to include close of registration, early voting, election day and other coverage as necessary. The following motion was made by Commissioner Fransway and passed unanimously:

*To approve the request for pre-authorized overtime.*

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

**REQUEST FROM JACKIE MCGOWAN TO EXTEND THE TIME ALLOWED (HCC 4/16/12) FOR THE PLACEMENT OF A RECREATIONAL VEHICLE ON HER PROPERTY. SUBJECT PROPERTY IS LOCATED AT 8380 E. WAGON WHEEL - APN 10-512-08:**

Provided to the Board for review was a copy of the written request from Jackie McGowan for an extension and a copy of the April 16, 2012 Commission meeting minutes at which the matter had been previously discussed. Mrs. Lawrence reviewed what had occurred previously with this matter, the request for the extension including the status of the installation of the mobile home on the property and Ms. McGowan's request for an extension of a year or two. Mrs. Lawrence recommended that if an extension is approved that it be for only six months at a time so the progress can be monitored. Commissioner Fransway discussed concerns he had with what was occurring at the site including the age of the mobile home on site and the use of hay around the RV as well as his concerns about setting precedence with this matter; he stated that he would not oppose the six months extension based on the hardship but he asked that the Building Director go and look at the site to make sure it is safe. Commissioner Amos stated he was okay with the six month extension. Chairman Bell concurred. The following motion was made by Commissioner Cassinelli and passed unanimously:

10/15/2012

Page 3 of 12

*To give her the six months and at that time review it again.*

**SET TO PUBLIC HEARINGS:**

**RH-12-11 - A zone change application submitted by Mark Kearns, partner JB Estates, to change the zoning from CH AIZ (Highway Commercial District with an Airport Hazard Overlay) to RR-1.25 AIZ (Rural Ranchette 1.25 acre minimum lot size with an Airport Hazard Overlay). Subject properties are located on Pond Drive and Bird Lane; APN 013-053-23 and 013-054-02:**

**RH-12-12 - A zone change application submitted by Linda Watterson to change the zoning from NC-R AIZ (Neighborhood Commercial - Rural District with an Airport Hazard Overlay) to RR-2.5 AIZ (Rural Ranchette 2.5 acre minimum lot size with an Airport Hazard Overlay). Subject property is located at 3040 W. Thomas Canyon Road; APN 013-521-13:**

**RH-12-13 - A zone change application submitted by Ann Rose to change the zoning from CH AIZ (Highway Commercial with an Airport Hazard overlay) to RR-1.25 AIZ (Rural Ranchette 1.25 acre minimum lot size with an Airport Hazard Overlay). Subject property is located at 4785 Pond Drive; APN 013-053-24:** Chairman Bell read the titles of the items to be set to public hearing. The following motion was made by Commissioner Cassinelli and passed unanimously:

*To set RH-12-11, RH -12-12 and RH-12-13 to public hearing.*

**ANNUAL FINANCIAL CONTRIBUTION REQUEST FROM HUMBOLDT COUNTY**

**SHOOTING PARK:** Provided to the Board for review was a letter of request from Kent Arrien, Project Coordinator for the Shooting Park including information related to in-kind and monetary donations. Acting Administrator Willey noted that the shooting range is part of the Cost Share Agreement. Kent Arrien appeared before the Board and spoke in support of the additional funding including detailing the items the funds would be used for and commitments received from other entities. Commissioner Cassinelli commented that this request should be considered at budget time. Mr. Arrien stated that the funds are needed now. Commissioner French commented on the needs and benefits of the facility noting that it is a tremendous asset to the community and suggested that this request be considered at this time. Commissioner Cassinelli asked if this would be an additional \$500.00 on top of the \$1,000.00 already budgeted and stated that he was ok with granting this request but asked about this being included in budget discussion for the future. Chairman Bell concurred and stated while this could be approved the additional funds should be added to the budget during budget hearings. Commissioner Fransway agreed stating that was correct as the funds are taken from County Contributions currently; he noted that to date in the current fiscal year there have been no expenditures and so he would support this request with the

additional funds also coming from the County Contributions line item... Mr. Arrien further discussed the request and how the funds will be used. Commissioner Amos stated he had no problem with the request. The following motion was made by Commissioner Fransway:

*To grant the request for \$1,500.00 knowing that it will come out of the Commission Grants and Contributions.*

District Attorney Macdonald asked for clarification that only \$500.00 will come out as \$1,000.00 has already been budgeted for this year. Commissioner Cassinelli asked why an increase was being requested when the amount originally budgeted hasn't been spent yet. Mr. Arrien explained what projects are planned for including gravel and steel purchases and noted that he has been trying to be conservative with the funds they have; he clarified that the request is only for an additional \$500.00. The following amended motion was made by Commissioner Fransway:

*To increase the pending contribution of a \$1,000.00 to \$1,500.00 and it is coming out of the Commissions Grants and Contributions.*

Commissioner Cassinelli stated that the motion would be for an additional \$500.00 on top of the \$1,000.00 and then when budgets are discussed next year it will be increased to \$1,500.00 or maybe more if necessary. Chairman Bell concurred. Commissioner French requested that Mr. Arrien provide a list of proposed projects before budget hearings to assist the Commission in coming up with an appropriate budget for the group in the future. Mr. Arrien agreed to do so. Chairman Bell called Commissioner Fransway's amended motion to a vote and it passed unanimously.

Mr. Arrien addressed the Commission regarding the drainage issues between the 100 yard and 400 yard ranges and regarding addition of road base to the parking area in front of the education building which the Road Department had started but not finished. Road Superintendent Garrett noted that the addition of road base to the parking lot is scheduled and agreed to meet with Mr. Arrien regarding the drainage issue. Mr. Arrien noted that the City had provided culverts. Mr. Arrien continued discussing the possibility of having a camp host at the shooting range site to protect against the risk of vandalism noting that the Sheriff had seen the benefit of the suggestion. After discussion Chairman Bell directed Mr. Arrien to work with staff to look into whether the zoning would allow it, insurance and legal issues.

**DISCUSSION WITH THE BLM, THE FOREST SERVICE AND THE US FISH & WILDLIFE SERVICE REGARDING RESTORATION TO FIRE SITES, UPDATE ON THAT RESTORATION AND THE OPPORTUNITY FOR THE COMMISSION TO WEIGH IN ON THE PROCESS;** Mike Feticc, BLM Winnemucca District Fire Management Officer and Ally Henson,

10/15/2012

Page 5 of 12

Emergency Stabilization and Rehabilitation Team Member appeared before the Board. Mr. Feticc addressed the Board and discussed the 2012 fire plans which have been submitted noting that funding was tight so they would need to be prioritized, the approval status of the plans and coordination with other groups, individuals and State agencies. Ms. Henson discussed the sage grouse territories priority levels. Discussion occurred regarding funding availability, possible secondary planning efforts, monitoring of the burned areas, concerns related to the failure to do reclamation at this time due to financial issues and potential issues that could cause, what ESR can implement, work with other departments to address issues not identified in the current plans and the involvement of NRCS in addressing issues with private lands and critical watersheds. Road Superintendent Ben Garrett addressed the Board regarding fire impact on County roads and restoration issues. Discussion occurred regarding the issue and the need to discuss the matter further with the BLM.

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

**REVIEW AND POSSIBLE AWARD OF BID FOR SEMI-TRACTOR:** A copy of a memo from Superintendent Garrett reviewing the semi-tractor bid and offering a recommendation was provided to the Board for review (see attached). Superintendent Garrett reviewed the bids received from Sierra Freightliner Sterling Western Star (2), Peterbilt Truck Parts and Equipment, Western Nevada Kenworth and Silver State International and recommended the purchase of 2 -2013 Freightliner Coronado SD Semi-Tractors from Sierra Freightliner Sterling Western Star at the cost of \$105,560.00 each for an extended cost of \$211,120.00. The following motion was made by Commissioner Cassinelli and passed unanimously:

*To go with the Road Superintendent's recommendation on the Sierra Freightliner for \$105,560.00 each for two trucks.*

**REPORT OF PENDING ROAD DEPARTMENT PROJECTS:** Discussion occurred regarding issues with the mower. Superintendent Garrett reported on road grading, road watering due to the potato harvest, the status of the Paradise Valley Weed District Building Project, a delay on the work on the Paradise Valley sewer ponds and an update on the Midas area wells.

**MISCELLANEOUS ROAD RELATED MATTERS:** Discussion occurred regarding the good job done on Pedroli and Thompson Roads, the maintenance schedule for rocking Leonard Creek Road and the delay with the Paradise Valley sewer pond project.

**REQUEST FROM THE SENIOR CLASS OFFICERS OF LOWRY HIGH SCHOOL FOR REIMBURSEMENT OF THE INDOOR EVENT CENTER FEES FOR GRADUATION:** Senior

10/15/2012

Page 6 of 12

Class President Mary Castaneda, Vice-President Rina Black and Secretary Johanna Chavez. Miss Castaneda addressed the Board and spoke in support of funding in the amount of \$1,500.00 for the rental of the events center and the installation and removal of the floors for the graduation ceremony. Discussion occurred regarding whether the Commission had previously directed that this item be placed as a standing item in the Commission's budget. After discussion the following motion was made by Commissioner Cassinelli and passed unanimously:

*To grant the \$1,500.00 for the use of the building and for putting the floor down and taking it back up and that this be a standing budget item.*

**UPDATE BY JEFF FONTAINE, EXECUTIVE DIRECTOR OF NEVADA ASSOCIATION OF COUNTIES (NACO) REGARDING MATTERS RELATED TO NACO:**

Jerrie Tipton, NACO President and Jeff Fontaine, NACO Executive Director appeared before the Board. President Tipton addressed the Board and discussed NACO meetings, changes to the by-laws and the purchase of a video conference system for the NACO offices; she offered thanks to both Humboldt County and Commissioner Fransway noting Commissioner Fransway's involvement with the Public Lands Committee. Director Fontaine acknowledged President Tipton's contributions to the organization, thanked Humboldt County for supporting NACO and acknowledged Commissioner Fransway's long time commitment to NACO; he continued highlighting issues that NACO is working on including PILT funding, geothermal projects and other renewable energy projects on public lands and the distribution of a portion of the revenues to the host counties; the Affordable Care Act, the collection of local sales taxes for on-line sales, the actions of the Public Lands Committee over the past year, the involvement of NACO is dealing with the cost shifts from the State to the Counties, the diverting of IAF/Supplemental funds to the State, the debate over the consolidated tax distribution, cuts to Nevada education including community colleges and cooperative extension, the upcoming legislative session including Nevada Department of Transportation's Bill Draft Request related to road relinquishments and NACO's planned Bill Draft Request. Director Fontaine discussed the upcoming NACO Conference in November. Discussion occurred regarding a bill draft request related to defense counsel, the Wildfire Conservation group and NACO's new facilities.

*Chairman Bell recessed the meeting at 12:07 p.m. to reconvene at 1:00 p.m.*

**ADOPT FINAL DRAFT OF RESOLUTION CONTAINING THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISIONS AND/OR ORDERS ON THE AMENDED PETITION TO DESIGNATE AS A "MINOR COUNTY ROAD" IN ACCORDANCE WITH NRS**

10/15/2012

Page 7 of 12

**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 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, McGill Canyon Road and Jackson Creek Ranch Road:** A copy of the proposed resolution was provided to the Board for review. District Attorney Macdonald reviewed the request and asked the Board to adopt the proposed resolution. The following motion was made by Commissioner Cassinelli and passed unanimously:

*To adopt the final draft of the resolution containing the findings of fact, conclusions of law and decisions for the minor county roads.*

*(Resolution No. 10-01-12)*

Discussion occurred regarding potential future litigation related to this matter.

**ADOPT RESOLUTION AUTHORIZING THE DEED FROM HUMBOLDT COUNTY TO THE SUMMIT LAKE PAIUTE TRIBE PURSUANT TO NRS 361.604 FOR THE INTERESTS OF LAND WITHIN THE RESERVATION WHICH ARE CURRENTLY HELD IN TRUST BY THE HUMBOLDT COUNTY TREASURER, ASSESSOR'S PARCEL NUMBERS 01-251-03 AND 01-251-04:** A copy of the proposed resolution and Quit Claim Deed were provided to the Board for review. District Attorney Macdonald reviewed what had occurred at a prior meeting when this action had been discussed and approved. The following motion was made by Commissioner Amos and passed unanimously:

*To adopt the resolution authorizing the deed from Humboldt County to the Summit Lake Paiute Tribe pursuant to NRS 361.604 for the interests of land with the reservation which are currently held in trust by the Humboldt County Treasurer Assessor's parcel numbers 01-251-03 and 01-251-04.*



(Resolution No. 10-15-12)

**UPDATE ON HUMBOLDT COUNTY BOOKMOBILE STATUS, REPAIRS AND POSSIBLE AUTHORIZATION FOR REPLACEMENT:** Library Board members Gene “Herk” Criswell and Lisa Verner and Bookmobile operator Ginny Dufurrena appeared before the Board. Mr. Criswell addressed the Board regarding the issues with the current bookmobile including dust levels which are not acceptable for the employees or patrons, air conditioning and heating problems, the amount of down time and the complaints from users in the rural areas. Mr. Criswell continued reviewing the costs associated with the repairs to the bookmobile so far and voiced the opinion that it was not prudent to keep spending funds on the vehicle. Chairman Bell questioned whether the Commission has authority to tell the Library Board what to do as they are their own Board and receive their own tax rate. Discussion occurred regarding the matter and the District Attorney indicated that he would research the issue. Commissioner French noted that the funds for the purchase of a new bookmobile had been included in the budget and he would support the purchase of a new vehicle. Chairman Bell asked if the Library Board had approved the purchase. Library Director Shari Allen stated yes. Chairman Bell noted the concern of the Library Fund’s balance being depleted. Road Superintendent Ben Garrett appeared before the Board and commented on the amount spent on the bookmobile, the issues with the dust and questioned whether a new bus would solve the problem. Discussion occurred regarding selling the current bookmobile. Commissioner French commented on Superintendent Garrett’s concerns regarding the dust issue noting that he does share the same concerns about a new vehicle. Discussion occurred regarding the purchase method for a new vehicle and the bid process. After discussion the following motion was made by Commissioner Amos and passed unanimously:

*To have the Library Board seek bids for a new bookmobile and bring them back to the Commission.*

**PRESENTATION BY JUDGE RICHARD WAGNER REGARDING A PROPOSED INTERLOCAL COOPERATIVE AGREEMENT BETWEEN THE SIXTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA, BY AND THROUGH THE COUNTY COMMISSIONERS OF HUMBOLDT, PERSHING AND LANDER COUNTIES AND THE STATE OF NEVADA, DIVISION OF CHILD AND FAMILY SERVICES, FOR THE USE OF CURRENT JUVENILE DEPARTMENT PERSONNEL IN THE RECRUITMENT, LICENSING AND TRAINING OF ADOPTIVE AND FOSTER HOMES WITHOUT INCURRING ADDITIONAL FINANCIAL BURDENS ON THE COUNTIES:** A copy of the draft agreement had

been provided to the Board for review. Judge Richard A. Wagner appeared before the Board. Judge Wagner discussed his concerns with the foster homes situation in the community and reviewed the proposed cooperative agreement with the State of Nevada to allow personnel within the Juvenile Department to provide the resources for finding, licensing and providing follow up services as to foster homes in the local area. Judge Wagner requested authority to enter into the agreement and to authorize the Chairman to sign the agreement noting that the document is still under review by the Attorney General. Judge Wagner noted that there is no request for funding as he believes that the Juvenile Department can absorb the cost. Commissioner Fransway confirmed that there would be no anticipated increase in funding or staffing for the Juvenile Department related to this addition. Judge Wagner agreed. After discussion the following motion was made by Commissioner Fransway and passed unanimously:

*To authorize the Chairman to sign the final draft of the interlocal cooperative agreement once it has been approved by legal counsel.*

**POSSIBLE AMENDMENTS TO CHAPTER 17.68 CONDITIONAL USE PERMITS CONCERNING THE PROCEDURES FOR APPLICATIONS FOR CONDITIONAL USE PERMITS, INCLUDING PLANNING DEPARTMENT STAFF REVIEW AND RECOMMENDATIONS ON THE APPLICATIONS, THE PLANNING COMMISSION REVIEW AND RECOMMENDATIONS OR FINAL AUTHORIZATION OF THE APPLICATIONS, THE BOARD OF COUNTY COMMISSIONERS REVIEW AND FINAL AUTHORIZATION OR APPELLATE REVIEW OF THE APPLICATIONS AND THE VOTE REQUIRED FOR ACTION BY THE PLANNING COMMISSION AND THE BOARD OF COUNTY COMMISSIONERS ON THE APPLICATIONS AT EACH STATE OF THE PROCESS AND DIRECTION TO THE PLANNING DEPARTMENT STAFF AND THE PLANNING COMMISSION TO DRAFT ANY PROPOSED AMENDMENTS:**

A copy of the current code chapter 17.68 was provided to the Board for review. Commissioner Fransway noted that at prior retreat meetings the Board had discussed the need for the Commission to be more involved in certain planning issues particularly conditional use permits and concerns about the need for a unanimous vote to overturn a conditional use permit as opposed to a simple majority so that is why this is coming forward for discussion. District Attorney Macdonald commented on the need to look at the entire chapter rather than just pieces. Discussion occurred regarding the current procedure as set forth in code including the appellate review, the unanimous decision part and what the process is to amend County Code. Commissioner Fransway commented on the need for the Commission to take control of things happening in the County. Chairman Bell did not

10/15/2012

Page 10 of 12

disagree but noted his concern with the changes which affect the appeal process. Commissioner Cassinelli noted the need for the Commission to have more say than they do now. Commissioner Fransway discussed how the process had been handled in the past. Commissioner French discussed research he had done into what had been done in the past and how the issue appeared to be how much time planning matters took; he continued discussing how other communities handle the process including Churchill County. Commissioner French read some of the language in Churchill County's code and discussion occurred. Betty Lawrence, Senior Planning Technician for the Planning Department appeared before the Board and reviewed some statistics related to conditional use permits. Discussion occurred regarding what the code allows and how it could be changed. Audience member Lewis Trout asked the District Attorney if a member of the County Commission could file an appeal on a decision as an interested person. District Attorney Macdonald voiced concern about an appellant Commissioner being able to sit with the body that is to hear the matter due to the conflict and the potential ethical issues. After further discussion Commissioner Fransway suggested that the Commission authorize the District Attorney to pursue action related to the final authority for permitting CUPs and related appellant matters. District Attorney Macdonald stated that what he would envision is putting together proposed language that could be presented to both the County Commission and the Planning Commission for review so that direction can be given regarding any changes necessary prior to creating the formal documentation that would require publications and once that is done the formal process would be followed. Discussion occurred about how the process was handled in the pass. The following motion was made by Commissioner Fransway:

*To authorize the District Attorney to pursue action related to the final authority being the Board of County Commissioners for conditional use permits.*

District Attorney Macdonald discussed the process that will occur and asked if the Board would rather see a draft or have the matter set to public hearing for adoption of the final ordinance. Commissioner Fransway stated he would rather just see the DA go for it. Commissioners Cassinelli and French stated their preference for the draft first. Commissioner Fransway commented on his concerns about the time it will take. District Attorney Macdonald explained his concern about taking the issue to public hearing and having the Commission make significant changes at that time and the issues that may arise from that. After discussion Commissioner Fransway offered the following amended motion:

*To authorize the District Attorney to pursue a draft document related to the final authority being the Board of County Commissioners for conditional use permits.*

Chairman Bell called the amended motion to a vote and it passed unanimously.

Mr. Trout asked a question related to the addition of a technical review process and how that would be handled and the matter was discussed.

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

**ADJOURNMENT:** Chairman Bell adjourned the meeting at 3:12 p.m.

ATTESTED: *J. Spero* Clerk APPROVED: *Nate Bell* Chairman

UNOFFICIAL

**MEMORANDUM**

---

**TO: COMMISSIONERS**  
**FROM: ADMINISTRATOR**  
**DATE: October 11, 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 the request.

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

To: County Commission  
 From: Ben Garrett, Roads Superintendent  
 Date: October 8, 2012  
 Subject: Semi-Tractor Bid Review 2012

In the 2012-2013 budget, the Road Department has \$250,000 for the replacement purchase of 2 new Semi-Tractors. We solicited bids from several vendors and advertised in the newspaper. The Tractors would replace a 1980 Kenworth W900 with unknown mileage (3<sup>rd</sup> speedometer) and a 1983 Kenworth W900 with 517,000 miles. Typically the annual mileage per unit in the fleet is 20,000-25,000.

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  
 Sierra Freightliner-Sparks, Nevada  
 Utility Truck & Equipment-Boise, Idaho  
 Eng's Motor Truck-Sparks, Nevada  
 Western Nevada Kenworth- Sparks, Nevada

#### **Bid Breakdown: (ranked by price)**

1. Sierra Freightliner Sterling Western Star
  - a. 2013 Freightliner Coronado SD, New, **\$105,560**
  - b. Delivery time: 90 Days
  - c. Warranty: 1 year / 100,000 miles entire vehicle, Drivetrain 2 years/100,000 miles; level II severe duty package
  - d. Exceptions:
    - i. Heater hoses are not silicone, but Gates Blue Stripe
    - ii. Air Filter is a larger single air filter instead of a double canister
2. Peterbilt Truck Parts & Equipment
  - a. 2013 Peterbilt Model 367, New, **\$108,681**
  - b. Delivery time: 90 Days
  - c. Warranty: 1 year / 100,000 miles entire vehicle, Drivetrain 3 years/300,000 miles
  - d. Exceptions:
    - i. Traction Lock as an option for \$518 each unit
    - ii. Brake Chamber Guards as an option \$977.20 each unit
    - iii. Cargo lights on Headache rack as an option \$75 each unit
    - iv. Extended Cab \$2,977

3. Sierra Freightliner Sterling Western Star
  - a. 2013 Western Star 4900 SF, New, \$112,136
  - b. Delivery time: 100 Days
  - c. Warranty: Not listed
  - d. Exceptions:
    - i. None
  
4. Western Nevada Kenworth
  - a. 2013 Kenworth W 900 Tractor, New, \$118,793
  - b. Delivery time: 65-75 Days
  - c. Warranty: 1 year / 100,000 miles entire vehicle
  - d. Exceptions:
    - i. Drop Frame in Front
    - ii. Warranty work must done at Dealers
  
5. Silver State International
  - a. 2013 Model Lonestar SFA, New, \$135,000
  - b. Delivery time: 90-180 Days
  - c. Warranty: 24 months/200,000 miles
  - d. Exceptions:
    - i. Warranty work must done at Dealers
    - ii. Max Force 500 HP engine

**Review:**

All the new tractors come with a warranty for a minimum of 12 months for entire vehicle, but several took exception to warranty work travel time and towing to done at the vendor's expense.

Sierra Freightliner's first bid listed an exception for the double canister air filter. The larger single air filter will compensate for the dual filtration system in the specifications. The long range additional cost to the County in maintenance is approximately \$200 per year or less for the air filter.

The exceptions on Peterbilt Truck Parts bid add additional cost to meet the base specifications.

The Sierra Freightliner meets all the specifications with minor exceptions at a significantly lower cost than the next responsive bidder. I would recommend the purchase of 2- 2013 Freightliner Coronado SD Semi-Tractors from Sierra Freightliner Sterling Western Star at a cost of \$105,560 each and an extended cost of \$211,120.