

Tuesday, January 22, 2013

The regular meeting of the Humboldt County Board of Commissioners was called to order on Tuesday January 22, 2013 at 9:30 a.m. in the regular place of meeting at the Courthouse, Winnemucca, Nevada. Those present were Chairman Jim French, Commissioners Dan Cassinelli, Garley Amos Jr., Mike Bell and Marlene Brissenden, District Attorney Michael Macdonald, Administrator Bill Deist and Clerk of the Board Tami Rae Spero.

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

DISCUSSION & ACTION ON CORRECTION/APPROVAL OF MINUTES - JANUARY 7, 2013

REGULAR MEETING: Chairman French asked for corrections/additions for the minutes of January 7, 2013; none offered. The following motion was made by Commissioner Amos and passed unanimously:

To approve minutes of January 7th.

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 contract of renewal for the billboard at the Winnemucca Events Complex: A copy of the proposed contract was provided to the Board for review and it was noted that it was similar to past contracts. *Recommendation: That the Commission authorizes the Chair to sign the contract.*
2. Re-appointment of Richard Robie to the Debt Management Commission: Mr. Robie had requested re-appointment to his current seat on the Debt Management Commission. *Recommendation: that the Commission appoint Richard Robie to the Debt Management Commission.*
3. Approval of Annual Water Budgets: Copies of the water distribution budgets for the 2013-2014 season from the State Water Engineer were provided to the Board for review (review attached). It was noted that this is an annual approval. *Recommendation: That the Commission approves the water budgets.*

Chairman French asked if these items needed to be handled as individual items after discussion the Board determined they did not. The following motion was made by Commissioner Bell and passed unanimously:

To approve the consent agenda as presented by staff.

SOLID WASTE MATTERS: Administrator Deist noted that there was a Landfill Committee meeting

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this afternoon at 3:00 p.m.

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. Chairman French asked if information had been received related to the Pine Forest Bill and requested that an item be placed on the next regular agenda for discussion on the matter.

MISCELLANEOUS REPORTS AND CORRESPONDENCE:

OTHER INFORMATION AND UPCOMING MEETINGS: Administrator Deist reviewed the upcoming meetings and dates of importance for the Board including the POOL/PACT training related to the open meeting law and ethics scheduled on January 23rd.

REPORTS FROM COMMISSIONERS REGARDING OTHER BOARDS AND COMMITTEES

THEY SERVE ON: Commissioner Brissenden discussed information regarding the benefits of the County joining the Western Counties Alliance. Discussion occurred regarding a decision made by the Commission in a prior meeting to not join the group and the reasons for that decision. No further reports offered.

INSPECTION OF THE ADULT CORRECTION FACILITY: Chairman French noted that the entire Commission would inspect the facility at about 1:30 p.m. District Attorney Macdonald commented on the status of the Dispatch Center Project.

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

To approve the expenditures for this period.

APPROVAL OF AMENDMENTS TO THE HUMBOLDT COUNTY PERSONNEL POLICIES:

Administrator Deist noted that the amendments are mostly housekeeping issues. Chairman French commented that he had some questions regarding the amendments and did not feel that there was sufficient time to discuss the matter at today's meeting. Following discussion Chairman French stated that he would like the item to be placed on the agenda for the Commission retreat. The following motion was made by Commissioner Amos and passed unanimously:

To table the approval of the amendments and extend the discussion to the retreat on January 28th.

APPROVAL OF RESOLUTION FOR EXEMPTION FOR DENIO TV, QUINN RIVER TV, HUMBOLDT FIRE DISTRICT AND WINNEMUCCA RURAL FIRE DISTRICT: Copies of the

proposed resolutions were provided to the Board for review. Comptroller Sondra Schmidt appeared before the Board. Comptroller Schmidt reviewed the annual request for the Board and requested approval. The following motion was made by Commissioner Bell and passed unanimously:

To approve the resolution for Denio TV.

(Resolution No. 01-22-13)

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

To adopt resolution for exemption for Quinn River TV.

(Resolution No. 01-22-13a)

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

To adopt resolution for exemption for Humboldt Fire District.

(Resolution No. 01-22-13b)

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

To adopt the resolution for exemption for the Winnemucca Rural Fire District.

(Resolution No. 01-22-13c)

ADOPTION OF RESOLUTION IN SUPPORT OF AB 68 RELATED TO THE CONSOLIDATED

TAXES: A copy of the proposed resolution, an e-mail from Jeff Fontaine, Executive Director for the Nevada Association of Counties explaining the proposal and e-mails from the Treasurer and the Comptroller were provided to the Board for review. Treasurer Gina Rackley and Comptroller Sondra Schmidt appeared before the Board and explained their support for AB 68. After discussion the following motion was made by Commissioner Bell and passed unanimously:

To adopt resolution in support of AB 68 related to the consolidated taxes.

(Resolution No. 01-22-13d)

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

REPORT OF PENDING ROAD DEPARTMENT PROJECTS: Superintendent Garrett reported on road repairs and snow plowing. He discussed the upcoming Mag Chloride bid and noted that letters had been sent to residents on Aurora and Pogonip to determine their interest in having those roads included in the Mag Project.

MISCELLANEOUS ROAD RELATED MATTERS: Discussion occurred regarding Jungo Road and the impact of increased traffic counts on it due to Hycroft and the future impact with the Hycroft expansion and other projects in the area.

PUBLIC HEARING ON NUISANCE COMPLAINT FILED AGAINST TOMAS BARAJAS AND

HORTENCIA GODINEZ AT 3110 ARTEMISIA WAY: Provided to the Board for review was a copy of the complaint, a copy of the Notice of Public Hearing and investigation reports from the Building & Safety Department, the Winnemucca Rural Fire Chief and the Sheriff's Office. Complainants Lisa Robertson, Jerry Terou and Kathy Patterson and property owners Tomas Barajas and Hortencia Godinez with interpreter Maria Barajas appeared before the Board. Mrs. Robertson, Mr. Terou and Mrs. Patterson addressed the Board regarding their concerns with the number of swine on the property, odors, possible water table contamination, the animals getting onto other neighbors properties and the proximity of the animals to the property borders which is in violation of County Code. Discussion occurred regarding the zoning for the location being M - 3, what is allowed under that zoning and the number of swine on the property. Discussion occurred with Mr. Barajas (interpreted by Ms. Barajas) regarding the number of pigs on the property. Commissioner Brissenden noted that she had viewed the site. Chairman French noted that the only violations identified in the investigation reports had to do with building code. Discussion occurred regarding the size of the property and the number of animals on it. District Attorney Macdonald discussed the allowable uses under the M - 3 zoning. Ms. Barajas stated that they had been attempting to clean up the site and get rid of some of the animals but noted problems with the weather and the time of year for the sale of pigs. It was noted that the property owners have had pigs at the site for about ten years but that the numbers have increased recently from approximately 10 to over 30. Ms. Barajas indicated that they plan to only keep 5 or so. Commissioner Cassinelli suggested that they take animals to the livestock auction and stated his belief that this lot is too small for the number of swine on it. Discussion occurred regarding the difficulty in cleaning up the waste due to the weather, that there are too many animals on the property and what is allowable under M - 3 zoning plus what is required under the nuisance code to declare a nuisance. The Board concurred that this was a nuisance. After discussion the following motion was made by Commissioner Bell:

To declare a nuisance at 3110 ARTEMISIA Way based on odor and to bring back a resolution at the February 4th meeting for adoption giving the property owners ninety days to abate.

Chairman French asked for public comment. Mr. Barajas commented on his desire to sell some of the animals but noted that it may take more than ninety days. No further comments offered. Chairman French called Commissioner Bell's motion to a vote and it passed unanimously.

QUARTERLY REPORT FROM SONOMA INDUSTRIES: Sheri Allen of the Sonoma Industries Board of Directors, Dawn Marie West, Sonoma Industries Director and Comptroller Sondra Schmidt

appeared before the Board. Ms. Allen noted that the quarterly financial report had been reviewed with the Comptroller per the Commission's direction and suggestions related to fund raising had been discussed; she continued thanking the Commission for their contribution noting that they will finish with that grant at the end of June and noted that the Board of Directors had established a goal to be self sufficient as part of their five year plan. Administrator Deist noted that the direction from the Commission was that there would be no further financial assistance after this year. Comptroller Schmidt discussed her findings based on a review of Sonoma Industries financial records and the five year plan noting her concerns with the amount the group pays out in administration costs and the need to diversify and not rely on contributions. Administrator Deist commented that the concern with the administration costs has been identified during previous discussion. Comptroller Schmidt commented on suggestions that she had offered. Chairman French stated that the determination had been made last year by the Commission that it would be the last year they would financially assist the organization; he noted that the decisions related to the administration costs are personal choices that will need to be made by the agency, that the Commission is glad that the program has managed to make it as long as they have and wish them good luck for success. Ms. Allen stated the organization's intent to continue.

REQUEST FROM BLM AS TO THE LEVEL OF INVOLVEMENT REGARDING HYCROFT RESOURCES AND DEVELOPMENT PLAN OF OPERATIONS:

Provided to the Board for review was a letter from Gerald Dixon, Field Manager Black Rock Field Office of the Bureau of Land Management offering the opportunity for Humboldt County to become a cooperating agency on a proposed amendment by Hycroft Resources & Development Inc. To the Plan of Operations for the Hycroft Mine. Field Manager Dixon appeared before the Board and reviewed the letter provided. Administrator Deist commented on the level of participation done in the past by the County with this type of situation. Chairman French stated his support for requesting cooperating agency status for the project as it will be beneficial and allow for more specific input by the County. Commissioners Bell and Cassinelli concurred. Kathleen Rehberg, Project Lead for the Hycroft Expansion noted that a page had been provided that showed the involvement necessary for a cooperating agency. Commissioner Brissenden asked District Attorney Macdonald as this would be setting precedence if there would be any issues with the County becoming a cooperating agency. District Attorney Macdonald responded that he did not believe this was precedence setting and that the County has a right to be a cooperating agency. Administrator Deist noted other projects that the County has been involved with as a cooperating agency. The following motion was made by Commissioner Bell:

That the County's involvement be as a cooperating agency.

Commissioner Bell asked about assigning a Commissioner as the designated representative for the single point of contact for the project. Chairman French suggested that the Administrator serve in that capacity at this time and if necessary a Commissioner can be appointed later. The Board concurred. Chairman French called Commissioner Bell's motion to a vote and it passed unanimously. Ms. Rehberg stated that a Memorandum of Understanding (MOU) would be forwarded to the County for signature.

APPOINTMENT TO THE QUINN RIVER CONSERVATION DISTRICT AND POSSIBLY TO

THE PARADISE/SONOMA CONSERVATION DISTRICT: District Attorney Macdonald discussed the requirement for a Commission appointment to the Quinn River Conservation District and stated that Brian Rookstool had expressed an interest in serving on the District; he recommended that the Commission appoint Mr. Rookstool to a two year term. District Attorney Macdonald stated that he would be following up with the Paradise/Sonoma Conservation District about an appointee for their district; he discussed the election process set forth by statute for conservation districts. The following motion was made by Commissioner Cassinelli and passed unanimously:

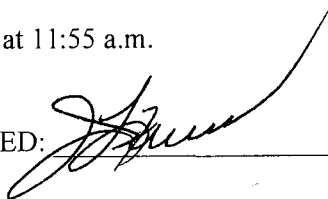
To appoint Brian Rookstool to the Quinn River Conservation District.

FINAL RETREAT DIRECTION: Administrator Deist noted that two additional items, the effect of growth on the County and water and the amendments to the personnel policies, had been added to the retreat discussion items. Discussion occurred regarding those issues.

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

ADJOURNMENT: Chairman French adjourned the meeting at 11:55 a.m.

ATTESTED: 
Clerk

APPROVED: 
Chairman

MEMORANDUM

TO: COMMISSIONERS
FROM: ADMINISTRATOR
DATE: January 15, 2013
SUBJECT: CONSENT AGENDA

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

1. Authorize the Chairman to sign the contract on the billboard: The contract is attached and is similar to past contracts.

Recommendation: That the Commission authorize the Chair to sign the contract.

2. Reappointment of Richard Robie to the Debt Management Commission: Attached is an e-mail from the Clerk with the background on this appointment.

Recommendation: That the Commission appoint Richard Robie to the Debt Management Commission.

3. Approval of Water Budgets: Attached is a memo with the background. This is an item you deal with each year.

Recommendation: That the Commission approve the water budgets.

M E M O R A N D U M

TO: COUNTY COMMISSIONERS
FROM: ADMINISTRATOR
DATE: JANUARY 11, 2013
SUBJECT: WATER DISTRIBUTION BUDGETS FOR 2013- 2014 SEASON

BACKGROUND`

Pursuant to NRS 533.280, each year the State Engineer is responsible for preparing budgets estimating the amount of money necessary to pay the expenses of various stream systems throughout the state. The budgets are then submitted to each Board of County Commissioners for certification as required by NRS 533.285. The following budgets have been submitted for the 2012-2013 season:

Little Humboldt River Distribution:

No change from the 12-13 Season \$15,068.31

Humboldt River Distribution:

\$2.34 increase from the 12-13 Season \$14,091.95

Kelly Creek Groundwater Basin:

\$42.01 decrease from the 12-13 Season \$ 7,565.37

Paradise Valley Groundwater Basin:

\$5805.66 increase from the 12-13 Season \$17,475.86

Clovers Area Groundwater Basin:

\$76.80 increase from the 12-13 Season \$ 6,527.44

Quinn River Distribution:

No change from the 12-13 Season \$ 6,673.69

Pumpnickel Valley Groundwater Basin:

No special assessment will be levied for the 13-14 season.

WATER DISTRIBUTION BUDGETS FOR 2013 - 2014 SEASON
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ACTION:

Pursuant to NRS 533.285, "... the Board of County Commissioners shall certify the respective charges contained therein to the County Assessor. The County Assessor shall enter the amount of such charge or charges on the assessment roll against the claimants and the property or acreage served."

The Board is, therefore, requested to certify the charges and authorize the County Clerk to sign the certification attached to each budget. Copies of each budget will then be provided to the Assessor for inclusion on the assessment roll and to the State Division of Water Resources.

MEMORANDUM

TO: COUNTY COMMISSIONERS
FROM: COUNTY ADMINISTRATOR
DATE: January 15, 2013
SUBJECT: OTHER INFORMATION AND UPCOMING MEETINGS

OTHER INFORMATION:

UPCOMING MEETINGS:

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| 1. January 22, 2013 | Landfill Committee |
| 2. January 23, 2013 | POOL/PACT Training |
| 3. January 28, 2013 | Retreat |
| 4. February 4, 2013 | Commission |