

Tuesday February 19, 2013

The regular meeting of the Humboldt County Board of Commissioners was called to order on Tuesday, February 19, 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. Tommy Swanger of the Star City Property Owners Association offered his thanks for the repair of the street lights in the neighborhood.

**DISCUSSION & ACTION ON CORRECTION/APPROVAL OF MINUTES - JANUARY 22, 2013**

**REGULAR MEETING AND FEBRUARY 4, 2013 REGULAR MEETING:** Chairman French asked for corrections/additions for the minutes of Tuesday, January 22, 2013 and/or Monday, February 4, 2013; none offered. The following motion was made by Commissioner Amos and passed unanimously:

*To approve the January 22<sup>nd</sup> minutes.*

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

*To approve the February 4<sup>th</sup> minutes.*

**ADMINISTRATIVE REPORT:**

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

1. Approval of Change Order related to the Communication Center Building: Copies of Change Orders totaling \$26,837.56 (see attached approval documents) were provided to the Board for review. Administrator Deist reviewed the change orders for the Board and recommended approval and authorization of the Chairman's signature. The following motion was made by Commissioner Amos and passed unanimously:

*To authorize the signatures that are required for the change orders.*

**SOLID WASTE MATTERS:** Administrator Deist stated that he had nothing on this item.

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

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

**2013 LEGISLATIVE MATTERS: POSSIBLE FORMULATION OF COUNTY TESTIMONY/INPUT ON PROPOSED LEGISLATION, RESPONSE TO LEGISLATIVE**

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**COMMITTEE REQUESTS, NACO LEGISLATIVE REQUESTS FOR INFORMATION AND RELATED MATTERS:** Administrator Deist updated the Board on AB 68 and a proposal for a wildfire protection program from the Division of Forestry.

**MISCELLANEOUS REPORTS AND CORRESPONDENCE:**

**OTHER INFORMATION AND UPCOMING MEETINGS:** Administrator Deist updated the Board on the status of the Pine Forest Bill in Congress and noted that he had been informed that the McDermitt Fire District had received their bill from the BLM related to fire costs. Chairman French commented on the wildfire protection program noted under the prior agenda item.

**REPORTS FROM COMMISSIONERS REGARDING OTHER BOARDS AND COMMITTEES THEY SERVE ON:** Chairman French discussed the Government Affairs Committee, a Nevada Association of Counties meeting including discussion related to proposed legislation and a NV Works meeting.

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

*To pay claims for expenditures as presented by staff.*

**REQUEST FROM THE ASSESSOR FOR A WAIVER TO THE ATTRITION POLICY RELATED TO A VACANT POSITION IN THE I.T. DEPARTMENT:** Assessor Jeff Johnson and J.D. Ames of the Tech Department appeared before the Board. Assessor Johnson spoke in support of the waiver noting that over one hundred and twenty days have elapsed since the position became vacant and the issues with having only one person in the department. Administrator Deist commented on the responsibilities of the Tech Department and recommended approval of the request. After discussion the following motion was made by Commissioner Bell and passed unanimously:

*To approve the request for a waiver to the attrition policy for a vacant I.T. position.*

**PRESENTATION BY BRIAN NELSON REGARDING THE RETIRED SENIOR VOLUNTEER PROGRAM (RSVP) IN HUMBOLDT COUNTY:** Brian Nelson, local Field Representative for RSVP appeared before the Board and explained the program and its benefits to the community. Discussion occurred regarding the request for funding and it was noted that the item is included in the Indigent budget and has been for several years.

**POSSIBLE APPROVAL OF PROPOSAL FOR REPRESENTATION OF HUMBOLDT COUNTY BY SHERMAN AND HOWARD L.L.C. IN CONNECTION WITH EFFECT OF MERGER OF SIERRA PACIFIC POWER COMPANY AND NEVADA POWER COMPANY ON THE**

**ECONOMIC DEVELOPMENT REVENUE BONDS (SIERRA PACIFIC POWER COMPANY PROJECTS) ISSUED BY THE COUNTY FOR SIERRA PACIFIC POWER COMPANY:**

A copy of a letter setting forth the proposal from Sherman and Howard LLC was provided to the Board for review. After discussion the following motion was made by Commissioner Bell and passed unanimously:

*To approve the proposal for representation of Humboldt County by Sherman and Howard L.L.C. in connection with the effect of merger of Sierra Pacific Power Company and the Nevada Power Company on the economic development revenue bonds issued by the County for Sierra Pacific Power.*

**DISCUSSION OF POSSIBLY BECOMING A COOPERATING AGENCY WITH THE BLM IN THE PREPARATION OF AN ENVIRONMENTAL ASSESSMENT RELATED TO A MODIFICATION OF THE PLAN OF OPERATIONS FOR THE MARIGOLD MINE:**

A copy of a letter from Ed Seum, Manager of the Humboldt River Field Office of the Bureau of Land Management (BLM) offering the County the opportunity to participate as a cooperating agency in the environmental assessment related to a modification of the plan of operations for the Marigold Mine was provided to the Board for review. Administrator Deist noted the letter received and that the County Commission is on record as being in support of the expansion. After discussion the following motion was made by Commissioner Cassinelli and passed unanimously:

*That the County goes ahead and becomes a cooperating agency with the BLM in the preparation of an environmental assessment for Marigold Mine.*

**POSSIBLE ACQUISITION OF ASSESSOR'S PARCEL #10-451-10 LOCATED AT 6850 WATER CANYON ROAD SCHEDULED FOR THE TAX AUCTION ON APRIL 12, 2013:**

Provided to the Board for review was a memo from Humboldt County Treasurer Gina Rackley detailing the history of parcel number 10-451-10 (owners Marilynne Bell (deceased) and Harry C. Bell (unable to locate)) located at 6850 Water Canyon Road and setting forth the possible reasons for retention by the County (see attached) and a map showing the location of the parcel. Treasurer Rackley appeared before the Board and reviewed the information contained in the memo. Administrator Deist noted the lack of right-of-way on the road in that section and stated his recommendation that the parcel be retained by the County and Road Superintendent Garrett's concurrence with that recommendation. Chairman French commented on the stream location and possible issues with flooding and the ability to address those issues if the County does not have right-of-way; he stated his support for retention. Discussion occurred regarding the lien on the property by the hospital and that the lien was also placed on the residential

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property owned by the decedent. Commissioner Amos agreed that it would be in the best interest of the County to retain the parcel and offered the following motion:

*To acquire parcel number 10-451-10 located at 6850 Water Canyon Road.*

District Attorney Macdonald asked if that could be subject to the right of redemption. The following amended motion was offered by Commissioner Amos and passed unanimously:

*To acquire parcel number 10-451-10 located at 6850 Water Canyon Road subject to the right of redemption.*

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

**AWARD OF THE 2013 MAG CHLORIDE BID FOR DUST SUPPRESSION TREATMENT AND**

**APPROVAL OF AREAS OF APPLICATION:** Provided to the Board for review was a copy of the 2013 Magnesium Chloride bid summary prepared by Superintendent Garrett (see attached) and a copy of the proposed road magnesium chloride application schedule for 2013. Superintendent Garrett reviewed the mag bid process, the bids received and his recommended application amounts/areas; he noted that based on the request of residents of the Aurora and Pogonip area to be included in future mag chloride projects, letters had been sent out to all property owners in the area soliciting opinions on inclusion in the 2013 project, that of the 36 letters sent 3 responses had been received and they had all been in opposition to mag. Following the review Superintendent Garrett recommended a combination of traditional magnesium chloride and Durablend application as laid out in the attachment with the bid being awarded to WRR, the cost for a combination award would be \$159,505.11 without the inclusion of additional roadways. Discussion occurred related as to whether it is more beneficial to have the contractor do the application or the County and the consensus reached was to allow the contractor to do the project. After discussion the following motion was made by Commissioner Cassinelli and passed unanimously:

*To accept the bid from WRR for \$159,505.11.*

**REPORT OF PENDING ROAD DEPARTMENT PROJECTS:** Superintendent Garrett updated the Board on the Paradise Valley Weed District building construction project, crack sealing, covering of roads, the status of the clean up of the Paradise Valley Sewer Ponds, equipment purchases, the resumption of 10 hour workdays on March 4<sup>th</sup>, the Eden Valley Bridge Project and the safety project for US 95.

**MISCELLANEOUS ROAD RELATED MATTERS:** Discussion occurred regarding Singus Creek and Artemisia.

**JOINT MEETING BETWEEN THE HUMBOLDT COUNTY COMMISSION AND THE**

**WINNEMUCCA CITY COUNCIL:** Present on behalf of the Winnemucca City Council were Mayor

DiAn Putnam, Councilmen Doug Cain, Paige Brooks, Jim Billingsley, Mike Owens and Ken Tipton, City Clerk Eddy Davis, City Manager Steve West and City Attorney O. Kent Maher.

**DISCUSSION WITH RON RADIL, EXECUTIVE DIRECTOR OF THE WESTERN NEVADA DEVELOPMENT DISTRICT REGARDING THE PREPARATION OF THE EDA (ECONOMIC DEVELOPMENT AUTHORITY) CEDS (COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY) FOR THE DISTRICT AND TO TALK ABOUT THE SET (STRONGER ECONOMIES TOGETHER) PROJECT AND ITS OUTCOME:**

Ron Radil, Executive Director of the Western Nevada Development District and Bill Sims, Humboldt Development Authority Coordinator appeared before the Commission and Council. Mr. Radil provided a handout related to WNDD and discussed the program, the benefits of the program and planned events. Mr. Sims commented on the training provided, the cost/funding provided, upcoming programs and the benefits of the program.

**FERAL CATS/SPAY/NEUTER PROGRAM:** Mayor Putnam commented on the ongoing problem with handling feral cats in the community, the lack of solutions and the current spay/neuter program in place. Melaney Johnson addressed the Board and spoke in favor of the animal shelter taking cats. Mayor Putnam responding noting cost concerns, the issues with having personnel to capture the animals, what to do with them once captured and the issues with having dogs and cats in the same facility. Ms. Johnson suggested the use of volunteers and an adoption program and commented on the difficulty of getting the animals into the local veterinarians for spaying/neutering. Joe Ratliff addressed the Boards related to the dollar amount of the vouchers offered noting that the vouchers are not even close to the cost of the procedures; he continued noting that in order to obtain a voucher the animal must also have its rabies vaccination which is an additional cost and suggested that the amount of the vouchers be raised to 50% of the cost, that cat traps be provided or rented by the animal control department, that an agreement be worked out with the veterinarians to take feral cats immediately and that the process be started to include cats in the animal control program. Discussion occurred regarding the voucher program and the usage of the program. Chairman French noted a concern with differentiating between feral cats and pet cats and concerns with liability related to that issue. Ms. Johnson discussed problems with feral cats in the business areas, around eating establishments. Mr. Ratliff noted the problems created by feral cats and the responsibility to control. Administrator Deist stated that the animal control facility is under the City's purview and that a financial assistance line item related to cat spaying/neutering had been in the County's budget but had been removed due to lack of use. Discussion occurred regarding adoptions, euthanization and the need to educate the public. Councilman Cain suggested that the voucher amount be re-evaluated

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and that the City and County work together to look at the shelter situation. Commissioner Cassinelli suggested the Commission look at putting funds back into the spay/neuter line item in the County's budget. Mayor Putnam suggested looking at combining the City and County programs. Bill Douglas addressed the Boards regarding equipment that can be installed to keep cats away.

**WINNEMUCCA BOULEVARD/MELARKEY INTERSECTION IMPROVEMENT PROJECT:**

A copy of the project proposal including costs and cost sharing had been provided to the Boards for review. The Winnemucca Convention and Visitors Authority Board was called to order by Vice-Chairman Rodd Stowell and present on behalf of that Board were members Don Stoker, Commissioner Dan Cassinelli and City Councilman Jim Billingsley. City Manager West reviewed the background of the project, the projected costs and the funding that had been proposed; he continued noting issues which had arisen with the Nevada Department of Transportation's grant funding which had been previously approved but subsequently revoked. Manager West questioned whether the Commission and Council wished to move forward with the project and cover the costs or if the desire was to re-apply for the grant. Angela Hansen of CTA Architects explained the proposal/design to the Boards. Mayor Putnam discussed the meetings which had occurred with the other two property owners and their receptiveness to the project. Manager West explained what the property owners would be responsible for due to the effects to their properties. Councilman Billingsley asked if the project funding could be approved by the Boards and then reimbursement sought from the grant funds. Manager West stated probably not and that the time table for any further consideration for NDOT grants was unknown. Mayor Putnam spoke to the appearance of the intersection and the effect of this project on both the beautification of the area and the vitality of the community. Administrator Deist noted his concurrence with the Mayor on the value of this project and suggested that the Boards need to look at getting it done. Commissioner Amos spoke in support of getting the project done. WCVA Member Stoker commented on the importance of the log at the current location. Chairman French commented that it appeared to be the consensus of the Commission to move forward. WCVA Vice-Chairman Stowell commented on the WCVA's support of the project proposal but noted that the land across from the Convention Center had been purchased for parking and as a future site for a Visitor's Center; he voiced concerns about signage. Mayor Putnam reviewed what had been discussed with the new owners of the Winners and their support of the project. A motion to accept the new direction and approve this project in the amount of \$93,334.00 for the City's portion contingent upon Humboldt County and the WCVA approving at the same time was made by Councilman Owens. Manager West offered a point of clarification that authorization to go to bid on the project and adopt the

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budget should be included. Councilman Owens so moved. Mayor Putnam called the motion to vote and it carried unanimously. The following motion was made by Commissioner Cassinelli on behalf of the County and passed unanimously:

*To move forward with the project in the amount of \$93,333.00 for the County's portion contingent upon the City and the WCVA approving the project, authorizing the project to go to bid and that the budget be adopted.*

The following motion was made by Commissioner Cassinelli on behalf of the WCVA and passed:

*To move forward with the project in the amount of \$93,333.00 for the WCVA's portion contingent upon the City and the County approving the project, authorizing the project to go to bid and that the budget be adopted.*

Manager West noted that the proposed plan includes moving the log across the street. Commissioner Brissenden stated that she did not believe the log should be moved. Mayor Putnam noted that past discussions related to the project had indicated why the log was being moved. WCVA member Stoker spoke in strong opposition to moving the log noting that he would not have voted in favor of the earlier motion if he had been aware that the proposal to move was still included. Discussion occurred regarding the reasons for moving the log, the proposed location, the potential risks of moving the log and the need to have someone look at the log to determine whether it could be moved without damage. Chairman French stated that it had been determined the project would move forward but that it should be determined if the log can be moved. WCVA Vice-Chairman Stowell adjourned the WCVA portion of the meeting at 12:27 p.m.

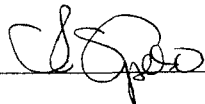
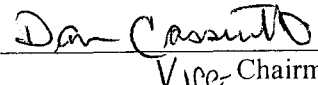
**AIRPORT OVERLAY DISTRICT ORDINANCE DISCUSSION:** Airport Board Chairman Leon Franklin appeared before the Boards. City Manager West explained that the Airport Board with the assistance of Armstrong Consultants had been working on an airport compatible land use and overlay zoning district ordinance for consideration by the Regional Planning Commission (RPC) and the Commission; the ordinance is basically intended to replace an existing airport hazard zoning district ordinance which was declared void in 2012 as it had been determined it had not been properly adopted in 1987; he explained the need for this type of ordinance to prevent problems with encroachment of developed properties on an airport including stipulations included in grant agreements with the FAA but also noted issues with this type of ordinance related to eminent domain/takings concerns. Manager West continued discussing what had occurred to this point as to the adoption of the ordinance and contact made via e-mail and letter by an adjacent property owner named Robert Stitser referring to the McCarran

Airport lawsuit regarding a determination a taking and the judgment entered in that case. Manager West spoke to the need to protect the use of the airport long term and that the only way to do that is to have an impact on adjacent property owners; he stated is belief that it is important to have the overlay zoning in place with the knowledge that there could be challenges down the road. Discussion occurred regarding what the stipulation with the FAA required related to this type of ordinance. City Attorney Maher noted that it had also been agreed to in the stipulation that they would pay relocation assistance for anybody who is deprived of their property under this taking and that part of the concern with the lawsuit is related to the amount that can be ordered as to attorney fees. Manager West commented that there would be payment either way so does the Board want an ordinance that notifies people looking at purchasing property in future that there are restrictions on the area. Councilman Billingsley asked if the person is notified and then buys the property, can they still try and build a high rise on it and say their property is worth more. Mr. Maher confirmed they could still do so and explained that was the case currently; he also noted that pre-judgment interest begins at the point the ordinance is adopted. District Attorney Macdonald confirmed that the taking occurs at the passage of the ordinance. Discussion occurred regarding the court finding and takings and the risks. Councilman Brooks and Councilman Cain asked what the recommendation was from legal. City Attorney Maher stated it was to at least understand the potential exposure before you do what you do and to the extent you can mitigate the potential exposure with your height restrictions and such that needs to be done too. Following comments about the issue with property owners and the noise around the airport, District Attorney Macdonald noted that noise is a different issue, this is the government taking air space per the Nevada law case; he discussed the finding of regulatory taking by the Court and the meaning of eminent domain. Chairman French stated that he did not see the benefit of adopting the ordinance. District Attorney Macdonald suggested that the consultant be contacted and the options be discussed. Administrator Deist suggested that legal counsel research other options. Mayor Putnam directed the City Attorney to remain involved.

Mayor Putnam adjourned the City Council portion of meeting at 12:56 p.m.

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

**ADJOURNMENT:** Chairman French adjourned the meeting at 12:57 p.m.

ATTESTED:  Clerk APPROVED:  Vice-Chairman



# AIA® Document G701™ – 2001

## Change Order

<b>PROJECT (Name and address):</b> Humboldt County Communication Center 795 Fairgrounds Road Winnemucca, NV 89445	<b>CHANGE ORDER NUMBER:</b> 006 <b>DATE:</b> 2/07/13	<b>OWNER:</b> <input checked="" type="checkbox"/> <b>ARCHITECT:</b> <input checked="" type="checkbox"/> <b>CONTRACTOR:</b> <input checked="" type="checkbox"/> <b>FIELD:</b> <input type="checkbox"/> <b>OTHER:</b> <input type="checkbox"/>
<b>TO CONTRACTOR (Name and address):</b> B & H Construction, Inc. 240 E. Horizon Drive Henderson, NV 89015	<b>ARCHITECT'S PROJECT NUMBER:</b> HCOCOMM <b>CONTRACT DATE:</b> 8/6/12 <b>CONTRACT FOR:</b>	

**THE CONTRACT IS CHANGED AS FOLLOWS:**

*(Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives)*

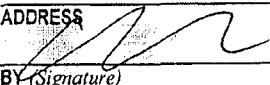


COR # 16 - RFI 57 - SKA 03 Wood Nailers @ Roof.....	\$ 7,727.75
COR # 17 - PR 09 - Add Camera Conduit and Wire.....	\$ 5,776.45
COR # 18 - PR 10 - Add Dispatch Power/Data.....	\$ 5,815.55
Total of above COR/s.....	\$ 19,319.75

The original Contract Sum was	\$ 3,381,700.00
The net change by previously authorized Change Orders	\$ -135,199.69
The Contract Sum prior to this Change Order was	\$ 3,246,500.31
The Contract Sum will be increased by this Change Order in the amount of	\$ 19,319.75
The new Contract Sum including this Change Order will be	\$ 3,265,820.06

The Contract Time will be unchanged by Zero (0) days.  
The date of Substantial Completion as of the date of this Change Order therefore is

**NOTE:** This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

**NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.**

Scott Roberts, CTA	B & H Construction	Humboldt County Commissioner Chairman
<b>ARCHITECT (Firm name)</b>	<b>CONTRACTOR (Firm name)</b>	<b>OWNER (Firm name)</b>
1185 Grove Street, Boise, ID 83702	240 E. Horizon Dr., Ste. A, Henderson, NV 89015	795 Fairgrounds Road Winnemucca, NV 89445
<b>ADDRESS</b>	<b>ADDRESS</b>	<b>ADDRESS</b>
		
<b>BY (Signature)</b>	<b>BY (Signature)</b>	<b>BY (Signature)</b>
Scott Roberts	Ray Hoffman	Jim French
<i>(Typed name)</i>	<i>(Typed name)</i>	<i>(Typed name)</i>
2/07/13	2/8/2013	
<b>DATE</b>	<b>DATE</b>	<b>DATE</b>

# AIA® Document G701™ - 2001

## Change Order

<b>PROJECT (Name and address):</b> Humboldt County Communication Center 795 Fairgrounds Road Winnemucca, NV 89445	<b>CHANGE ORDER NUMBER:</b> 004 <b>DATE:</b> 2/07/13	<b>OWNER:</b> <input checked="" type="checkbox"/> <b>ARCHITECT:</b> <input checked="" type="checkbox"/> <b>CONTRACTOR:</b> <input checked="" type="checkbox"/> <b>FIELD:</b> <input type="checkbox"/> <b>OTHER:</b> <input type="checkbox"/>
<b>TO CONTRACTOR (Name and address):</b> B & H Construction, Inc. 240 E. Horizon Drive Henderson, NV 89015	<b>ARCHITECT'S PROJECT NUMBER:</b> HCOCOMM <b>CONTRACT DATE:</b> 8/6/12 <b>CONTRACT FOR:</b>	

**THE CONTRACT IS CHANGED AS FOLLOWS:**

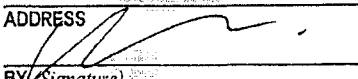

*(Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives)*

COR # 13 - Add hollow metal fram and doors to Mech. Rm. ....	\$	2,555.92
COR # 19 - Add TV backing.....	\$	500.00
Total of above COR/s.....	\$	3,055.92
The original Contract Sum was	\$	3,381,700.00
The net change by previously authorized Change Orders	\$	-142,717.50
The Contract Sum prior to this Change Order was	\$	3,238,982.50
The Contract Sum will be increased by this Change Order in the amount of	\$	3,055.92
The new Contract Sum including this Change Order will be	\$	3,242,038.42

The Contract Time will be unchanged by Zero (0) days.  
The date of Substantial Completion as of the date of this Change Order therefore is

**NOTE:** This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

**NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.**

Scott Roberts, CTA	B & H Construction	Humboldt County Commissioner Chairman
_____ <b>ARCHITECT (Firm name)</b>	_____ <b>CONTRACTOR (Firm name)</b>	_____ <b>OWNER (Firm name)</b>
1185 Grove Street, Boise, ID 83702	240 E. Horizon Dr., Stc. A, Henderson, NV 89015	795 Fairgrounds Road Winnemucca, NV 89445
_____ <b>ADDRESS</b>	_____ <b>ADDRESS</b>	_____ <b>ADDRESS</b>
 _____ <b>BY (Signature)</b>	 _____ <b>BY (Signature)</b>	_____ <b>BY (Signature)</b>
Scott Roberts <i>(Typed name)</i>	Ray Hoffman <i>(Typed name)</i>	Jim French <i>(Typed name)</i>
2/07/13 <b>DATE</b>	2/08/2013 <b>DATE</b>	<b>DATE</b>

# AIA Document G701™ - 2001

## Change Order

<b>PROJECT</b> (Name and address): Humboldt County Communication Center 795 Fairgrounds Road Winnemucca, NV 89445	<b>CHANGE ORDER NUMBER:</b> 005 <b>DATE:</b> 2/07/13	<b>OWNER:</b> <input checked="" type="checkbox"/> <b>ARCHITECT:</b> <input checked="" type="checkbox"/> <b>CONTRACTOR:</b> <input checked="" type="checkbox"/> <b>FIELD:</b> <input type="checkbox"/> <b>OTHER:</b> <input type="checkbox"/>
<b>TO CONTRACTOR</b> (Name and address): B & H Construction, Inc. 240 E. Horizon Drive Henderson, NV 89015	<b>ARCHITECT'S PROJECT NUMBER:</b> HCOCOMM <b>CONTRACT DATE:</b> 8/6/12 <b>CONTRACT FOR:</b>	

**THE CONTRACT IS CHANGED AS FOLLOWS:**

(Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives)


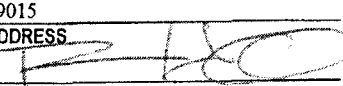
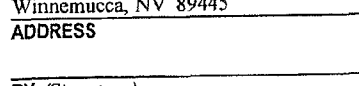
COR # 14 - CCD 02 - Garage Door Header Revision.....	\$ 3,441.33
COR # 15 - RFI 51 - Add a Framed Beam Pocket.....	\$ 1,020.56
Total of above COR/s.....	\$ 4,461.89

The original Contract Sum was	\$ 3,381,700.00
The net change by previously authorized Change Orders	\$ -139,661.58
The Contract Sum prior to this Change Order was	\$ 3,242,038.42
The Contract Sum will be increased by this Change Order in the amount of	\$ 4,461.89
The new Contract Sum including this Change Order will be	\$ 3,246,500.31

The Contract Time will be unchanged by Zero (0) days.  
The date of Substantial Completion as of the date of this Change Order therefore is

**NOTE:** This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

**NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.**

Scott Roberts, CTA	B & H Construction	Humboldt County Commissioner Chairman
<b>ARCHITECT</b> (Firm name)	<b>CONTRACTOR</b> (Firm name)	<b>OWNER</b> (Firm name)
1185 Grove Street, Boise, ID 83702	240 E. Horizon Dr., Ste. A, Henderson, NV 89015	795 Fairgrounds Road Winnemucca, NV 89445
<b>ADDRESS</b>	<b>ADDRESS</b>	<b>ADDRESS</b>
		
<b>BY</b> (Signature)	<b>BY</b> (Signature)	<b>BY</b> (Signature)
Scott Roberts	Ray Hoffman	Jim French
(Typed name)	(Typed name)	(Typed name)
2/07/13	2/08/2013	
<b>DATE</b>	<b>DATE</b>	<b>DATE</b>

# HUMBOLDT COUNTY TREASURER

054

Gina Rackley  
Treasurer

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

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

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## MEMO

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**TO:** COUNTY COMMISSIONERS & COUNTY ADMINISTRATOR  
**FROM:** GINA RACKLEY, TREASURER  
**SUBJECT:** ACQUISITION OF PROPERTY SCHEDULED FOR TAX AUCTION  
**DATE:** 3/7/2013

We are currently holding Assessor's Parcel Number 10-451-10 located at 6850 Water Canyon Road for Delinquent Taxes and it is scheduled for auction on April 12, 2013.

- Parcel ownership was originally in the name of DONALD and MARILYNNE BELL;
- DONALD BELL deceased and a Deed of Joint Tenancy was recorded on 5/21/99 adding HARRY C. BELL (son) to the property;
- Last payment received for taxes on this property was on 5/23/08 payment made by HARRY C BELL;
- HARRY C BELL was identified as the Public Guardian for MARILYNNE BELL;
- MARILYNNE BELL became ill and her son HARRY admitted her to HUMBOLDT GENERAL HOSPITAL, removed all funds from her accounts and has not been able to be located.
- October 25, 2010 HUMBOLDT COUNTY DISTRICT ATTORNEY'S OFFICE was appointed PUBLIC GARDIAN because there was no money or anyone to pay for MARILYNNE's medical care. Public Administrator, Gary Millward tried very hard to locate HARRY with no avail;
- MARILYNNE BELL is now deceased;
- Claim of Lien recorded April 6, 2011 by HUMBOLDT GENERAL HOSPITAL for \$94,990.15;
- Humboldt County Tax Deed recorded June 7, 2011;
- Taxes, penalties, interest and costs are currently **\$946.47**;
- 90 day Notice by Certified Mail has been sent to all parties as listed on the title search and payment must be received by 5:00 pm on Thursday February 28, 2013 to redeem this property.

I am asking if it is the desire of the County Commission to retain this property as allowed by NRS 361.603. This property is 40.00 acres of vacant land with Water Canyon Road going through the middle of it. Property directly adjacent to this property to the Northeast, East and South is owned by the BLM. Because this property is directly adjacent to the entry into Water Canyon Campground, and also due to the fact that Water Canyon Road and Water Canyon Creek pass through the center of this parcel I believe that it may be in the public's best interest to retain it. Access for Water Canyon Road is the main basis for my recommendation. There is no legal easement on record for this section of Water Canyon Road I do not know what legal ramifications could arise due to that. This would be considered a prescriptive easement since the maintained road existed prior to the sale but that does not go to say that there could not be issues arise in the future.

I spoke with City Manager, Steve West regarding this parcel and he concurs that it would be in the County's best interest to retain this property.

If it is the Commission's decision to not retain this property in the County's name and the property is sold at auction, then the Hospital could file a claim for any Excess Proceeds that may be available (money in excess of the bid amount over the total amount due for taxes, penalties, interest and costs) to help recoup some of their costs toward the Lien that they filed in the amount of \$94,990.15.

Sincerely,

Gina Rackley

To: County Commission  
From: Ben Garrett, Roads Superintendent  
Date: February 13, 2013  
Subject: Magnesium Chloride Bid 2013

**Bid Results:**

We solicited bids from fourteen vendors for the Magnesium Chloride application or approved alternative. One vendor submitted a bid for Magnesium Chloride and Durablend (a Magnesium Chloride-Polymer Blend) with the vendor providing the application. Humboldt County product application was an option available to the solicited vendors.

- 1) WRR (Salt Lake) bid ranged from \$109.36 per ton for Golconda and local roads, \$119.58 per ton for Jungo, \$115.63 per ton for Paradise Hill and \$127.02 per ton for Kings River. The total bid as posted was \$206,218.72. Product bid was Magnesium Chloride. WRR (Salt Lake) bid for an alternative product ranged from \$181.51 per ton for Golconda and local roads, \$183.32 per ton for Jungo, \$192.40 per ton for Paradise Hill and \$208.74 per ton for Kings River. The total bid as posted was \$197,673.68. Product bid was Durablend (Magnesium Chloride-Polymer blend). All products bid as vendor applied.
- 2) WRR (Salt Lake) bid ranged from \$99.36 per ton for Golconda and local roads, \$109.58 per ton for Jungo, \$105.63 per ton for Paradise Hill and \$117.02 per ton for Kings River. The total bid as posted was \$188,186.51. Product bid was Magnesium Chloride. WRR (Salt Lake) bid for an alternative product ranged from \$171.51 per ton for Golconda and local roads, \$173.32 per ton for Jungo, \$182.40 per ton for Paradise Hill and \$198.74 per ton for Kings River. The total bid as posted was \$187,049.50. Product bid was Durablend (Magnesium Chloride-Polymer blend). All products bid as vendor supplied with Humboldt County as the applicator.

Several suppliers inquired prior to solicitation for bids, however only one responded.

**Application Areas and Rates:**

In 2009 and 2010 we applied the Durablend product to the roadways in the Grass Valley School area. In 2011 we applied Durablend to Jungo, the Airport Subdivision, Water Canyon, Golconda and the ZBS Subdivision. We observed longer retention with the Durablend compared to Magnesium Chloride. The product has a recommended application rate of .25 gallons per square yard versus a recommended rate of .50 gallons per square yard for Magnesium Chloride. Although Durablend costs 65 % more than traditional Magnesium Chloride the reduced application rates gain 18 % in coverage at the recommended application rates.

In 2009 our coverage increased from 47 miles of roadway to 54 miles of roadway. In 2010 our coverage increased from 54 miles to 61 miles. In 2011 our mileage increased to 62 miles treated. In 2012 our coverage increased to 66 centerline miles. We were able to lengthen coverage with a fluctuating application rate of .25-.50 gallons per square yard in many locations. Shrinking the application width from 24 feet to 18 feet in most locations also generated savings. The majority of our roadways have residual Magnesium Chloride from previous year's applications, which permits an application rate reduction without loss of effectiveness.

The cost difference from a vendor application and a Humboldt County application is \$10 per ton, which equals an additional \$9,400 with the vendor application. The internal cost for the Humboldt County application is estimated at \$7,000 for labor, equipment and fuel; however other projects would be postponed with an in-house application.

During the year three residents of the Aurora and Pogonip area requesting to be included in the future Magnesium Chloride project. In January 2013 letters were sent to all property owners in the area soliciting opinions on inclusion in the project. Of the 36 letters sent we received 3 responses. All stated emphatically "No Mag".

Recommendations:

I recommend a combination of traditional Magnesium Chloride and Durable application, as laid out in the attachment with the bid awarded to WRR. The cost for a combination award would be \$159,505.11 without the inclusion of additional roadways.