

Monday, March 4, 2013

The regular meeting of the Humboldt County Board of Commissioners was called to order on Monday, March 4, 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 -FEBRUARY 19, 2013 REGULAR MEETING:** No minutes submitted for approval.

**ADMINISTRATIVE REPORT:**

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

1. Request for Adjustment to the Humboldt County Personal Property Roll: Three (3) requests for adjustment were presented to the Board for review - Account MM 22-Newmont Mining Corp, Account MM 36-Allied Nevada Gold-Hycroft (adjustment per County Board of Equalization & NV Dept of Taxation) and MM 15-Atna Resources-Pinson Mine (adjustment per revised mining transmittal from the NV Dept of Taxation). *Recommendation: That the Commission approve the requests as recommended by Assessor and Treasurer.*
2. Acceptance of Clerk's 3<sup>rd</sup> and 4<sup>th</sup> Quarter Reports: Copies of the Clerk's 3<sup>rd</sup> and 4<sup>th</sup> quarter reports were provided to the Board for review. *Recommendation: That the Commission acknowledges receipt of the reports.*

Discussion occurred regarding the amounts associated with the adjustments to the Personal Property Roll. 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 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 COMMITTEE REQUESTS, NACO LEGISLATIVE REQUESTS FOR INFORMATION AND**

3/04/2013

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**RELATED MATTERS:** Administrator Deist reviewed SB 2, SB 66, what was occurring with the Natural Resources Committee, AB 18 and AB 68.

**MISCELLANEOUS REPORTS AND CORRESPONDENCE:**

**OTHER INFORMATION AND UPCOMING MEETINGS:** Administrator Deist discussed the assessments which had been received from the Department of Health and Human Services noting that most were in line with what was paid in the current year but that there had been a significant increase to Long Term Care which would be discussed during the budget hearings. Discussion occurred regarding an upcoming visit by the University of Nevada-Reno President & Provost which is related to the planned Cooperative Extension re-organization. Chairman French commented on the indications that the Federal Government Sequester will affect the PILT distribution.

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

**THEY SERVE ON:** Commissioner Brissenden discussed the Hospital Board meeting and the hospital expansion project.

**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 SHERIFF FOR REVIEW OF THE PROPOSED MCDERMITT**

**SUBSTATION COPIER LEASE CONTRACT:** Sheriff Ed Kilgore appeared before the Board and spoke in support of approval for the lease contract for a Xerox copier for the McDermitt Substation including a review of the cost related to the lease. After discussion the following motion was made by Commissioner Bell and passed unanimously:

*To approve the signature on the contract for Xerox for copier lease.*

**PUBLIC HEARING PER THE REQUIREMENTS ON NRS 533.363(4) REGARDING THE CHANGE OF POINT OF DIVERSION AND PLACE OF USE OF EXISTING PERMIT 65748 AS PROPOSED BY THE TIM DELONG FAMILY TRUST AGREEMENT THROUGH THEIR**

**AGENT JOHN ZIMMERMAN:** Provided to the Board for review was a copy of Application No. 82429 For Permission to Change Point of Diversion, Manner of Use and Place of Use of the Public Waters of the State of Nevada Heretofore Appropriated filed by Tim & Margarita J. DeLong as co-trustees of the Tim DeLong Family Trust Agreement, a copy of the Notification from the State of Nevada Division of Water Resources as required by NRS 533.363, a letter of explanation from attorney John R. Zimmerman of Parsons Behle & Latimer as representative of the Tim DeLong Family Trust and a copy of

the Notice of Public Hearing. Tim DeLong was present in the audience. Administrator Deist reviewed the requirement that the Commission offer a recommendation noting that it is not a binding recommendation. Chairman French read the specifics of the request. It was noted that Pershing County had reviewed the proposal and signed off on it. Chairman French asked for comments/questions from the Commissioners. None offered. Chairman French asked for public comment. None offered. The following motion was made by Commissioner Amos and passed unanimously:

*To approve the change of point of diversion as to the existing permit 65748 the DeLong Family Trust Agreement and directing the Administrator to send a letter to the State Water Engineer in support.*

**UPDATE FROM ALLIED NEVADA GOLD REGARDING THE EXPANSION AND DEVELOPMENT OF THE HYCROFT MINE:**

Warren Wood of Allied Nevada Gold and Sue Hawkins of Hycroft appeared before the Board. Mr. Wood presented a Power Point Presentation to the Board detailing the background of Hycroft, an overview of Allied Nevada/Hycroft operations, the 2013 guidance, the Hycroft expansion projects, the capital cost estimate, the mobile equipment fleet, the contractor expansion capital cost, communications imprints, the crusher project, the power line update, the leach pad improvements, area housing project, Hycroft regional exploration targets and their Nevada presence. Discussion occurred regarding man camps, development in the Empire/Gerlach area, the ore grade, the amount of silver production, the planned construction of a rail spur and the fiscal benefit to the County of the project.

**ADOPTION OF RESOLUTION OF SALE OF DELINQUENT TAX PROPERTIES:** A copy of the proposed resolution and a copy the parcel list for the April 12, 2013 Delinquent Tax Auction (see attached) was provided to the Board for review. Treasurer Gina Rackley appeared before the Board and reviewed the properties on the list; she noted that the deed had been recorded for the property retained by the County once the taxes had been paid by the County. The following motion was made by Commissioner Brissenden and passed unanimously:

*To adopt the resolution of sale of delinquent tax properties.*

*(Resolution No. 03-04-13)*

**REQUEST FOR CONTRIBUTION TO COVER COST OF RENTAL OF INDOOR EVENT CENTER FOR FREE FLU EVENT ON OCTOBER 26, 2013:**

Lori Savoie, Community Health Nurse appeared before the Board and spoke in support of a contribution from the Commission to cover the cost of the Indoor Event Center for a free drive thru flu shot clinic set for October 26, 2013. Discussion

occurred regarding the prior year's event. The following motion was made by Commissioner Bell and passed unanimously:

*To cover the cost of the rental of the Indoor Events Center for the free flu event on October 26, 2013.*

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

**DISCUSSION OF PRIORITIES FOR ROAD STRIPING:** Provided to the Board was a memo from Superintendent Garrett discussing the striping priorities for 2013 and a listing of current Humboldt County Road Striping Layout (see attached). Superintendent Garrett reviewed the memo for the Board which explained what had occurred with the Inter-Local Agreement between the Nevada Department of Transportation and the County where the State striped County roads in exchange for truck hauling which had been terminated by NDOT, the number of miles of roads that are currently striped in the County, that the cost of the new agreement with NDOT is \$25,000 to \$28,000 annually as opposed to \$12,400 previously, the prioritization of the roads into three categories, a breakdown of the cost savings with the elimination of the priority #3 roads, the elimination or partial elimination of priority #2 roads and the continued striping of priority #1 roads. Superintendent Garrett asked for the Board's direction. Discussion occurred regarding the reasons that NDOT had opted out of the contract, how the striping cost will be handled in the budget, that it appears that the cost can be absorbed this year if signage is scaled back but a decision will need to be made for the future, when the roads are striped and how the roads are striped. Commissioner Amos spoke in support of continuing to stripe all the roads currently on the list due to safety concerns. Chairman French supported the Superintendent moving forward with what he thinks needs to be done this year and if necessary the budget can be augmented. Administrator Deist stated that when the Road Department budget is discussed this is one of the items that will be looked at and noted issues with fuel tax revenues which will result in revenue concerns for the Road Department budget. Superintendent Garrett commented that this year and next year can probably be handled and beyond that there will be a more definitive answer as to what it is going to cost and at time decisions about which roads to include can be made. The following motion was made by Commissioner Amos and passed unanimously:

*To continue with the striping process and try and get as much in as can be done.*

**REPORT OF PENDING ROAD DEPARTMENT PROJECTS:** Superintendent Garrett reported on the covering of roads, grading of roads, crack sealing, gave an update on the Paradise Valley Weed building, notified the Board that the Paradise RV Park had requested the cost for putting some gravel out

which he had provided but he had informed them that they would need to get approval from the Commission as to whether the Road Department could do it, reported on cattle guard repairs and updated the Board on the right-of-way for Mayhew Drive.

**MISCELLANEOUS ROAD RELATED MATTERS:** None offered.

**REPORT FROM THE DISTRICT ATTORNEY REGARDING THE REQUEST FOR QUALIFICATIONS FOR NEGOTIATIONS RELATED TO THE HOST AGREEMENT WITH JUNGO LANDFILL AND RECOMMENDATION FROM CHAIRMAN TO HIRE ALLISON-MACKENZIE TO SERVE AS OUR REPRESENTATIVE IN SAID NEGOTIATIONS:**

District Attorney Macdonald reported on the research into the names and qualifications for a negotiator for the host agreement related to the Jungo landfill; he noted that the deadline for submission of a statement of qualifications is the end of March. Administrator Deist stated that the matter would be brought before the Commission at the second meeting in April. Chairman French commented that he was pleased that the matter was moving forward and noted that no action is needed on this item.

**NEGOTIATIONS WITH HUMBOLDT COUNTY LAW ENFORCEMENT ASSOCIATION (HCLEA):**

**CLOSED SESSION IN ACCORDANCE WITH NRS 288.220 FOR DISCUSSION WITH MANAGEMENT REPRESENTATIVES:** Commissioner Bell offered a motion to go into closed session per NRS 288.220 which passed unanimously. The Commission entered closed session at 11:28 a.m. Commissioner Cassinelli offered a motion to return to open session which passed unanimously. The Commission returned to open session at 11:35 a.m.

**POSSIBLE APPROVAL OF FY 2011-2012 CONTRACT WITH HCLEA:** Administrator Deist recommended that the Commission accept the FY 2011-2012 settlement contract with the Humboldt County Law Enforcement Association that includes a 1% increase on July 1 of 2011 and a 1% on January 1 of 2012 plus reinstatement of merits which had been held up in the prior contract, total cost of about \$33,700.00 and the recommendation would be for approval contingent upon receiving notice from HCLEA and their representative body OE3 that they have withdrawn the unfair labor practice complaint with the EMRB (Employee-Management Relations Board). The following motion was made by Commissioner Cassinelli and passed unanimously:

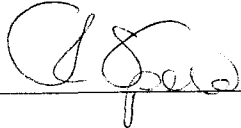
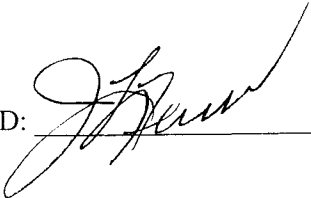
*That the Commission accepts the FY 2011-2012 settlement contract with the Humboldt County Law Enforcement Association that includes a 1% increase on July 1 of 2011 and a 1% on January 1 of 2012 plus reinstatement of merits which had been held up in the*

*prior contract, total cost of about \$33,700.00 and that approval is contingent upon receiving notice from HCLEA and their representative body OE3 that they have withdrawn the unfair labor practice complaint with the EMRB.*

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

**ADJOURNMENT:** A motion to adjourn was offered by Commissioner Amos and passed unanimously.

Meeting adjourned at 11:37 a.m.

ATTESTED:  Clerk      APPROVED:  Chairman

EMRB

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**MEMORANDUM**

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**TO: COMMISSIONERS**  
**FROM: ADMINISTRATOR**  
**DATE: February 26, 2013**  
**SUBJECT: CONSENT AGENDA**

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

1. Request for Adjustments to the Humboldt County Personal Property Roll: Attached are three requests for adjustment.

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

2. Acceptance of Clerk's 3<sup>rd</sup> and 4<sup>th</sup> quarter reports: Attached are the reports as prepared by the Clerk.

*Recommendation: That the Commission acknowledge receipt of the reports.*

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**MEMORANDUM**

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**TO:** COUNTY COMMISSIONERS  
**FROM:** COUNTY ADMINISTRATOR  
**DATE:** February 26, 2013  
**SUBJECT:** OTHER INFORMATION AND UPCOMING MEETINGS

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**OTHER INFORMATION:**

1. County Assessments: We received these from the Department of Health and Human Services this week. Most were close to the current year. However Long Term Care was up a great deal which we expected. You will see the impact of this during the budget process as it will impact our indigent costs, an area we discussed at the retreat as a concern.

**UPCOMING MEETINGS:**

- |                   |                     |
|-------------------|---------------------|
| 1. March 5, 2013  | HCLEA Negotiations  |
| 2. March 6, 2013  | Management Team     |
| 3. March 8, 2013  | POOL/PACT Oversight |
| 4. March 12, 2013 | HCLEA Negotiations  |
| 5. March 18, 2013 | Commission          |



**Parcel List**  
**for April 12, 2013 Delinquent Tax Auction**  
**Exhibit "A"**

<b>Parcel #</b>	<b>Prior Owners</b>	<b>Acreage</b>	<b>Address / Area</b>
005-272-13	Smith, Eugene B.	39.91	9 miles N of Jungo Rd
005-356-08	Green, Milledge Jr & Diania E	39.88	1/2 mile N of Jungo Rd
005-521-12	Lawson, Arthur L	4.77	Wildhorse Rd
005-591-32	Jaekel, Steven Raye	10.00	Antelope Rd & Cormier Bl Vicinity
006-053-02	Moriones, Geronimo & Fegudalupe	20.00	Pole line Rd & Wesson Rd
006-157-02	Higgins, George	10.00	4555 Paradise Ranchos Dr
006-454-01	Gigac, Mary A	4.35	Paradise Valley Est
006-454-02	Gigac, Mary A	9.75	Paradise Valley Est
006-492-03	Pursell, Betty	10.00	Daisy Dr & Derringer Dr Vicinity
006-493-13	Giambra, Joseph & Christine Trust	8.46	101 Ranch Rd & Derringer Dr Vicinity
006-493-14	Giambra, Joseph & Christine Trust	0.34	101 Ranch Rd & Derringer Dr Vicinity
007-136-04	Collins, Paul Brenden	39.29	19 1/2 miles NE of Golconda
007-207-07	Bessenyei, Bernadett	43.81	21 miles NE of Golconda
007-211-33	Sanford, Steve	160.00	4 1/2 miles E of Golconda
008-101-13	Pardun, Dave	0.32	Noble Ave - Golconda
008-323-03	Pardun, Dave	0.16	Noble Ave - Golconda
008-323-04	Pardun, Dave	0.16	Noble Ave - Golconda
014-243-17	Smith, Orland E & Mary B	1.00	Caribou Dr

070

Legal Number 025518

AFFIDAVIT OF PUBLICATION

Kara Dossey, Legal Clerk, for The Humboldt Sun, a twice weekly newspaper published in Winnemucca Humboldt County, Nevada, duly swears that the following

HU CO CLERK  
PUBLIC HEARING

a printed copy of which is affixed, was published 3 time(s) commencing 02/08/13 and ending 02/22/13

*Kara Dossey*  
Kara Dossey

State of Nevada  
County of Humboldt  
Signed and sworn to before me by

\*\*Kara Dossey on\*\* February 22, 2013

*Tracy Wadley*

TRACY WADLEY  
Notary Public - State of Nevada  
Appointment Recorded in Humboldt County  
No: 11-5443-9 - Expires June 28, 2015

Legal No 25518  
**NOTICE OF PUBLIC HEARING ON APPLICATION TO CHANGE THE PLACE OF USE OF WATER**

The Humboldt County Board of Commissioners will hold a public hearing per the requirements of NRS 533.363(4) on Monday, March 4, 2013, at 10:00 a.m. in the Meeting Room #201, Humboldt County Courthouse, Second Floor, Winnemucca, Nevada, to consider their recommendation to the State Engineer for the following:

The Tim DeLong Family Trust Agreement, through their agent, John Zimmerman, filed Application 82429 on January 9, 2013. This application proposes to change the point of diversion and place of use of existing Permit 65748. Application 82429 proposes to change the point of diversion and place of use from an underground source in Humboldt County to an underground source in Pershing County. The proposed manner of use is for

stockwater. Both the proposed and existing point of diversion and place of use remain within the Black Rock Desert Hydrographic Basin (028).

(Copies of the applications and supporting maps can be viewed and/or printed from the Division's website <http://water.nv.gov>)

Dated: February 4, 2013  
(County Seal)

Tami Rae Spero,  
Humboldt County Clerk

**NOTICE TO PERSONS WITH DISABILITIES:** Members of the public who are disabled and require special assistance or accommodations at the meeting are requested to notify the County Administrator in writing at the Humboldt County Courthouse, Room 205, Winnemucca, Nevada 89445 or by calling (775) 623-6300 or TDD #755-623-6429 at least two (2) days in advance of the meeting.

Published in the Humboldt Sun  
February 8, 15, 22 2013  
(Humboldt)

**NOTICE OF PUBLIC HEARING  
ON APPLICATION TO CHANGE THE PLACE OF USE  
OF WATER**

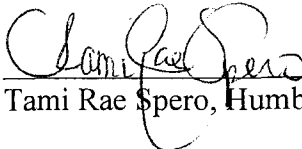
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*(Copies of the applications and supporting maps can be viewed and/or printed from the Division's website <http://water.nv.gov>)*

Dated: February 4, 2013

(County Seal)

  
 Tami Rae Spero, Humboldt County Clerk

Publish: February 8<sup>th</sup>, February 15<sup>th</sup> and February 22<sup>nd</sup>, 2013 (3t)

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To: Humboldt County Board of Commissioners  
From: Ben Garrett, Roads Superintendent  
Date: February 26, 2013  
Subject: Striping Priorities 2013

Humboldt County and NDOT had an Inter-Local Agency agreement for striping county roads in exchange for truck hauling. This agreement, which traded equipment and labor costs, expired at the end of 2012. NDOT does not wish to extend the agreement as written. In the future Humboldt County will be required to pay all actual costs for striping, including equipment, labor and materials. With the implementation of a new agreement I anticipate the cost of striping a mile of roadway to be \$480-520.

In the past we have striped 53.52 miles of roadway annually. Our current paved inventory contains 96.371 miles. Prior to the expiration of the agreement, Humboldt County's annual cost averaged \$12,400 for materials only. With a new agreement the annual cost is anticipated to be \$25,000-28,000.

The roadways have been prioritized in 3 categories. Priority #1 are roadways expected to be striped to satisfy the M.U.T.C.D. requirements, based on speed limits and traffic volume. Priority #2 roads are recommended to be striped. Priority #3 striped streets are may be striped.

Priority #1 roads = 19.94 linear miles of roadway.

Priority #2 roads = 28.30 linear miles of roadway.

Priority #3 roads = 7.26 linear miles of roadway.

If we eliminate Priority #3 roads from the striping, the annual cost can be reduced approximately \$3,630. By reducing or eliminating all or part of the Priority #2 roadways the annual cost may be reduced by as much as \$14,150. Priority #1 roadways will cost annually approximately \$8,970.

I would not recommend discontinuing striping on the Priority #1 roadways. In past years the Commission has chosen to continue striping all the roads currently listed. I would ask the Board for direction on the annual striping.

## STRIPING WITH NDOT

## CURRENT HUMBOLDT COUNTY ROAD STRIPING LAYOUT

PRIORITY	ROUTE NUMBER	LOCATION	DOUBLE YELLOW MILEAGE	SKIP YELLOW MILEAGE	R/L SOLID YELLOW MILEAGE	EDGE WHITE MILEAGE	SURFACE TREATMENT
1	012	COMMANDER	0.117	1.752	0.546		
1	027	WESTMORELAND	0.321	0.967	0.237	3.05	
1	029	CLOUDBURST	0.086	0.267	0.173		
1	049	THOMAS CANYON		1.642	0.370		
1	053	MARY	0.287				
1	055	JUNGO	1.433	3.472	0.827	11.464	
1	083	WINNEMUCCA MTN	0.561	0.667	0.402		
1	094	E SECOND	0.023	1.28	0.226	3.058	
1	527	MORRISON	0.053	0.341	0.074		
1	529	EDEN VALLEY		1.819			
2	100	ROSE CREEK	0.333	0.969	0.106	1.408	
2	101	McMINCH	0.248	1.97			
2	021	BEECHCRAFT		0.97			
2	023	CONSERVATION	0.113	0.717	0.068		
2	103	T-QUARTER		0.537			
2	301	SOUTH VALLEY		6.039			
2	347	CORDERO	0.299	9.291	0.788		
2	440	CHIMNEY DAM	0.852	1.631	0.329		
2	441	HINKEY SUMMIT	0.659	1.818	0.566	9.086	
3	028	DAVIS		0.097			
3	036	JUPITER		0.660			
3	037	BONANZA DR		0.747			
3	038	PLACER		0.945	0.077		
3	039	GOLDEN CIR		0.290			
3	041	MARS		0.521			
3	042	SATURN		0.361			
3	043	MERCURY		0.283			
3	057	OLD JUNGO	0.075	0.87	0.119		
3	088	NUGGET		0.670			
3	089	BONANZA CIR		0.463			
3	102	CALDER		0.288			
3	518	STANFORD	0.063	0.175	0.034		
3	524	SIBBALD	0.047	0.405	0.069		