

Monday, June 3, 2013

The regular meeting of the Humboldt County Board of Commissioners was called to order on Monday, June 3, 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 - MAY 6, 2013

REGULAR MEETING AND THE MAY 20, 2013 REGULAR MEETING: Chairman French asked for corrections/additions for the minutes of May 6, 2013 and the May 20, 2013; none offered. The following motion was made by Commissioner Bell and passed unanimously.

To approve minutes of the May 6, 2013 and the May 20, 2013, regular meetings.

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 Personal Property Tax Roll: Requests for Hendrix, Josephson, Bond and Romero were provided to the Board for review. *Recommendation: That the Commission approve the requests as recommended by the Assessor and Treasurer.*
2. Approval of Agreement with Abaris Group for the Communication Study: Provided to the Board for review was a copy of the proposed agreement with the Abaris Group to perform a study of the communication system. *Recommendation: That the Commission authorize the Chairman to sign the agreement.*

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

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RELATED MATTERS: Discussion occurred regarding AB 227 and the cloud seeding bill.

MISCELLANEOUS REPORTS AND CORRESPONDENCE:

OTHER INFORMATION AND UPCOMING MEETINGS: Discussion occurred regarding the Commission touring Hycroft and coordinating that tour with the City. Upcoming meetings and dates of importance were noted for the Board.

REPORTS FROM COMMISSIONERS REGARDING OTHER BOARDS AND COMMITTEES

THEY SERVE ON: Commissioner Brissenden noted that she would be attending a symposium in Park City Utah related to the Hospital Board. Commissioner French discussed the Nevada Works Retreat.

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

To approve the expenditures for this period as presented.

APPROVAL OF CONTRACT BETWEEN DEPARTMENT OF HEALTH AND HUMAN SERVICES AGING AND DISABILITY SERVICES DIVISION AND HUMBOLDT COUNTY FOR CHILDREN WITH INTELLECTUAL AND DEVELOPMENT DISABILITIES:

A copy of the proposed Interlocal Contract Between the State of Nevada Department of Health and Human Services Aging and Disability Services Division and the County of Humboldt was provided to the Board for review. Administrator Deist reviewed the request noting that this is a biannual contract and that it is part of the "shared sacrifice". After discussion the following motion was made by Commissioner Brissenden and passed unanimously:

To approve the contract between the Department of Health and Humans Services Aging and Disability Services Division and Humboldt County for children with intellectual and development disabilities.

DISCUSSION WITH INFORMATION TECHNOLOGY REGARDING INTERNET ACCESS, SHORT TERM FIX FOR EXISTING ISSUES AND AVAILABILITY OF BANDWIDTH

PROVIDED TO OUR USERS: Provided to the Board for review was a memo from J.D. Ames, Network Engineer for Humboldt County discussing his search for a better solution for the County's internet service providers. Mr. Ames addressed the Board regarding possible providers including AT&T and Cal-Neva Broadband, the status of fiber optic in the area and the benefits of that solution once it is in place; he offered the recommendation, until that solution is available, that the County move forward with the quote of an additional \$345.00 per month from AT&T to add one more existing T-1 to provide the needed bandwidth to keep up with current needs as that will not interfere from upgrading to fiber optic

once it is available. After discussion the following motion was made by Commissioner Bell and passed unanimously:

To approve the IT Department to upgrade the additional T-1.

DETERMINATION OF HOW TO PROCEED WITH THE SALE OR LEASE OF FM TRANSLATOR EQUIPMENT AND THE ASSOCIATED FCC LICENSES FOR 92.1 AND 94.3 WHICH ARE OWNED BY HUMBOLDT COUNTY AND USED TO REBROADCAST RADIO SIGNALS OF STATIONS IN RENO AND THE TERMS OF ANY SALE OR LEASE, AND DETERMINATION OF WHETHER TO RENT SPACE IN HUMBOLDT COUNTY BUILDINGS ON WINNEMUCCA MOUNTAIN TO ANY NEW OWNER/LESSEE OF THE TRANSLATORS AND THE TERMS OF ANY SUCH LEASE:

Rodd Stowell of KWNA Radio and Ken Sutherland of Ruby Radio Corporation appeared before the Commission. District Attorney Macdonald discussed the ability of the County to sell or lease the translators but noted that the license cannot be leased and offered the opinion that the County should get out of equipment rental if the County is no longer going to re-broadcast signals; he discussed the process involved in the County selling the translators including the need to post notice of the intent to sell and to solicit proposal. Mr. Stowell explained why KWNA and Ruby Radio Corporation would be the only two entities capable of buying the translators. Discussion occurred regarding allowing the FCC licenses to expire and the renting or leasing of space in the County facility for the translators. Mr. Stowell noted that KWNA would have no problem with vacating the County facility. Mr. Sutherland addressed issues he would have at this time with that option and noted his intent to come before the Commission at a future time to discuss placement of a tower on County owned property; he requested that, if this matter ends up being tabled for any length of time, that the County quit re-broadcasting Magic 95 as it has the same format as the station he will be bringing in shortly. District Attorney Macdonald indicated that there should be no problem with that request as he is not aware of any agreement with Magic nor any requirement for prior notification. Discussion occurred regarding restrictions on radio stations related to extending their signals and on how a value would be determined for the translators and/or licenses. District Attorney Macdonald recommended that Board first determine if they wish to sell or lease and if the decision is to sell, then proposals be requested which would include information as to whether the purchaser will be moving the equipment to another site or requesting a rental agreement from the County for the space. Discussion occurred regarding sale or lease, the preference of a sale, the temporary use of the current site by the operators and the transferring of the signal. After discussion Administrator Deist asked District Attorney Macdonald, if the Board so chose,

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could they direct that the translators be sold as leasing appears to be a non-option and that the County work with whomever purchases the translators on a short term lease at the existing facility. District Attorney Macdonald concurred. Commissioners Bell and Cassinelli agreed to the suggestion. Chairman French asked about establishing the fair market value price. Administrator Deist suggested that he could discuss the issue with Paul Burkholder. District Attorney Macdonald suggested, that as the new local radio station is coming on line, the recommendation for the Commission would be that they order the re-broadcast of the competing station to cease. Discussion occurred regarding just changing the format as opposed to ceasing transmission as the license has a very limited life span if the signal were to go dark. Administrator Deist again suggested that the issue be discussed with Mr. Burkholder. Chairman French asked if the matter should be tabled to obtain additional information. District Attorney Macdonald stated that the Board could determine if they intend to sell and if so can request proposals from both Mr. Stowell and Mr. Sutherland as well as placing the proposal on the County's website and set a reasonable time frame for submission of said proposals with the thought being that there will be some short term rental of the space that is being used by the translators currently. Based on a query from Mr. Sutherland, Ric Grantham of the Communications Department stated that the FCC licenses are in the process for renewal. After discussion the following motion was made by Commissioner Bell and passed unanimously:

That the Commission determines that the sale of the two licenses would be appropriate and also that a short term lease should be drafted until the second part of the matter could be worked out, that there shall be a RFP done and the deadline for proposals is the first meeting in September.

APPROVAL OF 2013 ANNUAL OPERATING PLAN FOR COOPERATIVE FIRE PROTECTION AGREEMENT BETWEEN BLM AND HUMBOLDT FIRE PROTECTION DISTRICT;

A copy of the proposed 2013 Annual Operating Plan for Cooperative Fire Protection Agreement Between Bureau of Land Management, Winnemucca District Office and Humboldt Fire Protection District was provided to the Board for review. Administrator Deist noted that this is the same annual plan that has been signed off on in the past related to the Commission serving as the Humboldt Fire District, that the Winnemucca Rural Fire District will be considering the plan at their upcoming meeting so the recommendation would be for approval of the Chairman's signature contingent on Winnemucca Rural approving the same. The following motion was made by Commissioner Bell and passed unanimously:

To approve for the Humboldt Fire Protection District and authorize the Chair to sign

pending the outcome of Winnemucca Rural's next meeting.

NEGOTIATIONS WITH EMPLOYEE ASSOCIATIONS:

CLOSED SESSION IN ACCORDANCE WITH NRS 288.220 FOR DISCUSSION WITH MANAGEMENT REPRESENTATIVES: A motion to go into closed session per NRS 288.220 was made by Commissioner Bell and passed unanimously. The Commission entered closed session at 10:49 a.m. Following the closed session the Board came back into open session based on a motion by Commissioner Bell which passed unanimously. The Board came back into open session at 10:57 a.m.

POSSIBLE APPROVAL OF 2012-2013 CONTRACT WITH THE HUMBOLDT COUNTY LAW ENFORCEMENT ASSOCIATION: Administrator Deist noted that this is the contract for the current fiscal year and that the contract for the upcoming fiscal year is still being negotiated; he detailed the agreement and the total cost for the Board. The following motion was made by Commissioner Bell and passed unanimously:

To approve and authorize the Chairman's signature for HCLEA contract for 2012-2013.

POSSIBLE APPROVAL OF 2013-2014 CONTRACT WITH THE HUMBOLDT COUNTY EMPLOYEE ASSOCIATION: Administrator Deist reviewed the agreement and the total cost for the Board. The following motion was made by Commissioner Bell and passed unanimously:

To approve the contract with the Humboldt County Employee Association and authorize the Chairman's signature.

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

AWARD OF BID FOR CHIP SEAL PROJECT: Provided to the Board was a memo from Superintendent Garrett detailing the surface treatment bid for 2013 and recommending the asphalt rubber with a fog seal treatment for the base project for the cost of \$145,476.80 from Intermountain Slurry (see attached). Superintendent Garrett reviewed the bids for the board including an error in the bid submitted by Valley Slurry; he recommended awarding the bid to Intermountain Slurry. District Attorney Macdonald discussed the irregularities involved with the bids submitted by both Valley Slurry and Intermountain Slurry and recommended that, as part of any motion, the County waive any irregularity related to the issue of the signatures by the principals on the City's form and that pursuant to statute 338.138.9(2), because of the failure to submit the affidavit of certification by Valley that the contract be awarded to Intermountain Slurry Seal for the total of the \$678,723.30 which includes the County's portion \$145,476.80 as under State law that is the best bid and that the motion include a provision that it is subject to the City approving this contract as well; he noted that he had consulted with the City

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Attorney, the City Manager and the Road Superintendent regarding his recommendation. The following motion was made by Commissioner Bell and passed unanimously:

That the Commission awards the bid chip seal project to Intermountain in the amount of \$678,723.30 of which \$145,476.80 is the County's and to waive any of the irregularities on the signatures of the principals, as Valley had failed to submit an affidavit so that is why it will be awarded to Intermountain and this approval is subject to City approval

REPORT OF PENDING ROAD DEPARTMENT PROJECTS: Superintendent Garrett reported on the covering/grading work occurring on Jungo to prep it for mag chloride, the status of the mag project on other roads, road grading and the stand pipe project.

MISCELLANEOUS ROAD RELATED MATTERS: Discussion occurred regarding Sand Pass Road and where the mag chloride had been applied.

JOINT MEETING WITH HUMBOLDT COUNTY COMMISSION, WINNEMUCCA CITY COUNCIL AND HUMBOLDT DEVELOPMENT AUTHORITY BOARD:

Present on behalf of the City Council were Mayor DiAn Putnam, Councilmen Doug Cain, Paige Brooks, Jim Billingsley, Mike Owens and Ken Tipton, City Manager Steve West, City Attorney Kent Maher and City Clerk Lorrie Haaglund. Present on behalf of the Humboldt Development Authority were Pat Gray, Bob Shaw, Andree Rose, Brad Schultz, Commissioner Mike Bell, Councilman Ken Tipton and Director Bill Sims.

PRESENTATION BY DR. TOM HARRIS REGARDING REPLACEMENT/UPDATE OF THE 1992 ECONOMIC INPUT/OUTPUT MODEL FOR HUMBOLDT COUNTY:

A copy of the project proposal was provided to the Boards for review. Dr. Tom Harris addressed the Boards regarding replacing/updating the 1992 Economic Input/Output Model for Humboldt County detailing the objectives, the method, the usage and the focus of the model. Discussion occurred regarding the significance of the project and the cost. Mayor Putnam commented that the project should be done by HDA as it is already a cooperative group of monies and the move should be to update it due to its value as a tool for development. Mr. Gray explained what had been discussed by the HDA and their concerns that if they took the project on that not everyone would be aware of what was going on and their hope that the three entities could share the cost. Administrator Deist noted that one of the roles of HDA is to advise the Commission and Council on economic development issues and that HDA has a pretty sizeable fund balance with those funds coming from the Commission and Council and as this project will be related to economic development he suggested that the economic development agency would be the appropriate entity to pay for the project. Mayor Putnam commented on her agreement about the need for the project

and explained why she believed HDA should fund the project. After discussion a motion was offered by Councilman Cain on behalf of the City to support what they are doing and to know that we are part of that educational factor in it and said motion passed. Commissioner Amos offered the following motion which passed unanimously:

To mirror the motion made.

A motion was offered by Bob Shaw on behalf of the HDA to support the input/output model project and fund it out of existing HDA funds and said motion passed.

Mayor Putnam adjourned the City Council portion of the meeting at 11: 57 a.m. The HDA portion of the meeting was adjourned at 11:57 a.m.

Chairman French recessed the meeting at 11:57 a.m. to reconvene at 1:30 p.m.

ACCEPTANCE OF RENEWAL PROPOSAL FROM NEVADA PUBLIC AGENCY INSURANCE POOL (POOL) AND APPROVAL FOR PAYMENT FROM FISCAL YEAR 2013-2014 FUNDS: A

A copy of the Wells Fargo Insurance Proposal was provided to the Board for review. Stephan Romero of Wells Fargo Insurance Services appeared before the Board and reviewed the proposal for the Board. After review and discussion the following motion was made by Commissioner Brissenden and passed unanimously:

To approve the acceptance of the renewal proposal from Nevada Public Agency Insurance Pool and to approve payment from fiscal year 2013-2014 funds in the amount of \$544,555.44.

PUBLIC COMMENT: Katie Nuffer Co-Executive Director of the Farm Service Agency appeared before the Board regarding a letter to the Governor previously approved by the Commission related to a drought declaration; she informed the Board that Humboldt County had been declared a drought disaster area on January 9th and explained the process, what the declaration meant and how notification had been handled. Discussion occurred regarding which programs are available and the need to include the County Administrator on the notification list. Doug Smith of POOL/PACT appeared before the Board and apologized for being late for the previous item; he thanked the County for participating in the program. No further comment offered.

Administrator Deist noted that the Commission would be traveling to Paradise Valley following this meeting to attend the grand opening of the Paradise Weed District facility.

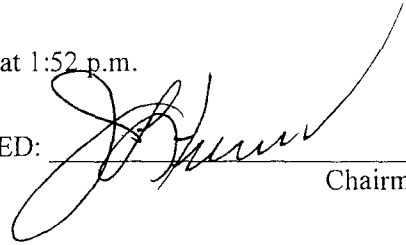
ADJOURNMENT: Chairman French adjourned the meeting at 1:52 p.m.

ATTESTED: _____



Clerk

APPROVED: _____



Chairman

UNOFFICIAL

MEMORANDUM

TO: COMMISSIONERS
FROM: ADMINISTRATOR
DATE: May 29, 2013
SUBJECT: CONSENT AGENDA

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

1. Request for adjustment to the Personal Property Tax Roll: Attached are four requests for your review.

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

2. Approval of Agreement with Abaris Group for the Communication Study: You selected this group to perform a study of the communication system. Attached is the agreement.

Recommendation: That the Commission authorize the Chairman to sign the agreement.

MEMORANDUM

TO: COUNTY COMMISSIONERS
FROM: COUNTY ADMINISTRATOR
DATE: May 29, 2013
SUBJECT: OTHER INFORMATION AND UPCOMING MEETINGS

OTHER INFORMATION:

1. Hycroft tour: At a recent meeting the offer was made to have a tour for the Commission and City Council to allow you to see what is occurring on the mine site. I will be asking for interest at the meeting and then will coordinate with the City and the Company to set up the tour.

UPCOMING MEETINGS:

1. June 5, 2013 Management Team
2. June 7, 2013 HR Oversight Committee
3. June 14, 2013 Administrator Annual Leave
4. June 17, 2013 Commission

To: Humboldt County Board of Commissioners
From: Ben Garrett, Roads Superintendent
Date: May 28, 2013
Subject: Surface Treatment Bid 2013

In April of 2013 the Humboldt County Commission approved the solicitation of bids for a Chip Seal and Slurry project. The City of Winnemucca and Humboldt County solicited bids through a joint project. Combining the projects into one contract reduces the unit cost for each agency. The contract estimate for both agencies was \$795,000. We received three bids; Valley Slurry \$661,207.86, Intermountain Slurry \$678,723.30, and Sierra Nevada Construction \$716,100.58.

The proposed base project includes the Golconda area. The original base estimate for the County's portion of the contract was \$175,980. The bids included Asphalt Rubber Chip Seal with a Fog Seal. Asphalt Rubber Chip pricing ranges from \$2.82 per square yard to \$3.00 per square yard. An Asphalt Rubber Chip with a Fog Seal will extend the life expectancy an additional 8-10 years.

Humboldt County's share of the bid ranges from \$141,722.56 to \$155,331.68 on the base bid to include both an Asphalt Rubber Chip. The Valley Slurry Bid contained an error which eliminates them from consideration. The next lowest bidder was Intermountain Slurry.

I would recommend the Asphalt Rubber with a Fog Seal treatment for the base project for the cost of \$145,476.80 from Intermountain Slurry.

CITY OF WINNEMUCCA/HUMBOLDT COUNTY 2013 A.R. CHIP SEAL PROJECT
 Summary of Bids May 22, 2013

	Bid Quantity Square Yards	Engineer's Estimate		Valley Slurry *		Intermountain Slurry *		Sierra Nevada Construction	
		Unit Price Square Yards	Total Bid Price	Unit Price Square Yards	Total Bid Price	Unit Price Square Yards	Total Bid Price	Unit Price Square Yards	Total Bid Price
City of Winnea: Rubber Chip Fog Seal	172,015	\$3.40 \$0.20	\$584,851.00 \$34,403.00	\$2.82 \$0.20	\$485,082.30 \$34,403.00	\$3.00 \$0.10	\$516,045.00 \$17,201.50	\$3.00 \$0.26	\$516,045.00 \$44,723.90
CITY TOTAL			\$619,254.00		\$519,485.30		\$533,246.50		\$560,768.90
Humboldt Co.: Rubber Chip Fog Seal	46,928	\$3.50 \$0.25	\$164,248.00 \$11,732.00	\$2.82 \$0.20	\$132,336.96 \$9,385.60	\$3.00 \$0.10	\$140,784.00 \$4,692.80	\$3.00 \$0.31	\$140,784.00 \$14,547.68
COUNTY TOTAL			\$175,980.00		\$141,722.56		\$145,476.80		\$155,331.68
TOTAL BASE BID			\$795,234.00	**	\$661,207.86		\$678,723.30		\$716,100.58

* In-State 5% preferential bidder status per NRS 338.147 & NRS 338.1389
 ** Prime Contractor not listed as subcontractor as required by NRS 338.141(3)

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