

Monday, October 21, 2013

The regular meeting of the Humboldt County Board of Commissioners was called to order on Monday, October 21, 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, Deputy District Attorney Kevin Pasquale, Administrator Bill Deist and Clerk of the Board Tami Rae Spero.

PUBLIC COMMENTS: Chairman French asked for public comments. Walt Vetter appeared before the Board and requested that the Senior Citizens Center be recognized by the County as an emergency response center site; he explained how that recognition would assist the Center in obtaining grant funding from FEMA. Administrator Deist suggested that the recognition should be done by the Local Emergency Planning Committee (LEPC) and stated that he would let the Sheriff know that the matter needed to be placed on the next LEPC agenda for discussion/action. Discussion occurred regarding the services provided by the Senior Center and the benefits of the recognition. Senior Center Director Patricia Tindall commented on the Center's prior work with the Sheriff's Office to provide meals during emergency incidents. Chairman French asked for additional public comment. None offered.

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

No minutes presented for approval.

ADMINISTRATIVE REPORT:

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

Request for Adjustment to the Real Property Tax Roll: Requests from Keener, Patterson and Mohamad were provided to the Board for review. *Recommendation: That the Commission approve the requests as recommended by the Assessor and Treasurer.*

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

To approve consent agenda as submitted.

SOLID WASTE MATTERS: Administrator Deist noted that a Landfill Committee meeting would occur this afternoon.

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.

MISCELLANEOUS REPORTS AND CORRESPONDENCE:

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OTHER INFORMATION AND UPCOMING MEETINGS: Administrator Deist informed the Board that notice had been received from the City Attorney that the City would be considering annexing a certain unincorporated area into the City described as APN 010-148-04 - Property Owners Patrick R. & Joyce R. Morrissey (see attached) and that an invitation had been received for the Commission to attend a celebration commemorating the 100th anniversary of the affiliation of the Boy Scouts with the LDS Church to occur on October 29th. Upcoming meetings and dates of importance were noted. Discussion occurred regarding the location of the property being annexed into the City.

REPORTS FROM COMMISSIONERS REGARDING OTHER BOARDS AND COMMITTEES

THEY SERVE ON: Commissioner Brissenden gave an update on the Hospital Board noting that no discussion had yet occurred regarding the makeup of the Board which had been discussed at a prior Commission meeting and that a seat is currently vacant on the Hospital Board but that no action has been taken to proceed with appointment. Discussion occurred regarding the how long the Hospital has to act on the appointment request to the Commission. Commissioner Cassinelli reported that the WCVA had approved the purchase of a new marquee for inside the Winnemucca Events Center. Commissioner Bell reported that the Humboldt Development Authority had received a proposal to assist the Chamber of Commerce to purchase a new sign to be installed at the intersection of Melarkey and Winnemucca Boulevard. Chairman French reported on the recent Water Summit as to the attendance, the data provided and the agreement for the need to pursue long term solutions; he also reported on Humboldt County participation in the upcoming Nevada Day Parade.

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

To approve the expenditures for this period.

ORDINANCE INTRODUCTION:

SET TO PUBLIC HEARING AN ORDINANCE AUTHORIZING THE JUSTICE OF THE PEACE TO IMPOSE AN ADMINISTRATIVE ASSESSMENT FOR THE PROVISION OF COURT FACILITIES IN THE AMOUNT OF \$10 FOR EACH MISDEMEANOR CONVICTION:

A copy of the proposed ordinance was provided for review. Administrator Deist read the title of the matter to be set to public hearing. The following motion was made by Commissioner Bell and passed unanimously:

To set to public hearing an ordinance authorizing the Justice of the Peace to impose an administrative assessment for the provision of court facilities in the amount of \$10 for

each misdemeanor conviction.

SET TO PUBLIC HEARING AN ORDINANCE AMENDING THE BUILDING CODE

ORDINANCE: A copy of the proposed ordinance was provided to the Board for review. Administrator Deist read the title of the item to be set to public hearing. The following motion was made by Commissioner Amos and passed unanimously:

To set to public hearing an ordinance amending the Building Code ordinance.

REQUEST FROM THE NEVADA LAND MANAGEMENT TASK FORCE TO ASSIST IN FUNDING THE INTERTECH PROPOSAL TO ASSIST THE TASK FORCE IN MEETING THEIR OBLIGATIONS UNDER AB227 OF THE 2013 NEVADA LEGISLATIVE SESSION:

Provided to the Board for review was a memo from Chairman Demar Dahl of the Nevada Land Management Task Force detailing the request for funding in the amount of \$3,896.50 to prepare a report on the findings of the Nevada Land Management Task Force as required under AB 227 and a copy of the proposal for analysis of public land transfer to the State of Nevada submitted by Intertech Services Corporation. Chairman French and Commissioner Cassinelli noted the discussion which had occurred at the last meeting of the Task Force regarding having each County kick in an equal amount to fund the required analysis. Administrator Deist noted that it would be difficult for the Task Force to meet the obligations of AB 227 without retaining the consultant. Commissioner Cassinelli observed that some other Counties are contributing more than the requested amount. Administrator Deist agreed but suggested that if additional funding is needed that the request be considered at that time. Chairman French commented on the benefits of the analysis. After discussion the following motion was made by Commissioner Bell and passed unanimously:

To approve the expenditure of funds in the amount of \$3,896.50 for the Task Force.

NUISANCE ISSUES:

STATUS OF NUISANCE COMPLAINT AT 3715 WEATHERBY DRIVE, WINNEMUCCA,

NEVADA: Provided to the Board for review was an e-mail from County Clerk Tami Rae Spero explaining that the nuisance complaint filed by Janice Bradshaw against property located at 3715 Weatherby Drive and owned by Thomas & Kayleen Heibert had been tabled by the by the Commission at their May 20th meeting to allow time to verify that the issues set forth in the complaint related to trash did not re-occur. Clerk Spero indicated that she had confirmed with Ms. Bradshaw that the issue is resolved so the request would be for the Commission to take formal action to dismiss the nuisance complaint. The following motion was made by Commissioner Bell and passed unanimously:

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To declare that there is no nuisance at 3715 Weatherby Drive as it is abated.

SET TO PUBLIC HEARING A NUISANCE COMPLAINT REGARDING PROPERTY LOCATED AT 4055 SYCAMORE DRIVE - APNS 010-393-03/04/05 - OWNERS MICHAEL J. SCIBIOR, DEBORAH J. SCIBIOR AND SCIBIOR LIVING TRUST:

Provided to the Board for review was a copy of the nuisance complaint including photos, a copy of the investigative reports from Building & Safety, Road Department and Winnemucca Rural Fire and a copy of the Notice sent to property owners. Chairman French read the title of the item to be set to public hearing. Administrator Deist noted that the property owner was present in the audience and that he has begun working on abating the alleged nuisance. The following motion was made by Commissioner Cassinelli and passed unanimously:

To set to public hearing a nuisance complaint regarding property located at 4055 Sycamore Drive - APNs 010-393-03, 04, 05.

Property owner Pat Scibior addressed the Board regarding the work he has done and what still needs to be done.

REQUEST FOR A WAIVER TO THE ATTRITION POLICY FOR A COMMUNICATION TECHNICIAN POSITION CURRENTLY VACANT:

Ric Grantham of the Communications Department appeared before the Board. Administrator Deist noted that there are only two positions in this department currently and one is vacant so the request is for a waiver to the attrition policy so the position can be advertised. The following motion was made by Commissioner Cassinelli and passed unanimously:

That the request for waiver to attrition policy for a communication technician position be granted.

REQUEST FOR POSSIBLE COUNTY PARTICIPATION IN THE DEVELOPMENT OF A BOYS AND GIRLS CLUB/COMMUNITY RECREATION CENTER:

Terry Boyle, Mayor DiAn Putnam, Lowry High School Athletic Director Chad Peters and Lowry High School Vice Principal Ray Parks appeared before the Board. Mr. Boyle explained the proposal for developing a Boys & Girls Club for the community including the benefits and the process including the need for a community assessment. Discussion occurred regarding the community assessment. Mr. Parks addressed the Board regarding the process to establish the club including the need for a board and the request that a Commissioner be appointed to serve on that board. Commissioner Bell volunteered to serve on the Board. Discussion occurred regarding possible financial assistance including potential funding sources. Mr. Peters spoke in

support of the proposal noting various benefits to the athletic programs. Mayor Putnam commented on the need to get excited about the community's youth and the need to attract residents with an improved quality of life. Discussion occurred regarding the proposal. The Commission stated their support for the proposal. The following motion was made by Commissioner Amos and passed unanimously:

To appoint Commissioner Bell as the Board's representative to this group.

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

VH-13-09 - A variance application submitted by Matt Gingerich as agent for the Sierra Pacific Power Co. dba NV Energy to increase the maximum height allowed in the RR-2.5 (Rural Ranchette 2.5 acre minimum lot size) zoning district from 35 feet to 40 feet for a telecommunication pole inside the substation to 80 feet for new power poles. Subject property is located off of Callahan Road east of Grass Valley Road; APNs 010-491-06 and 010-451-56: Provided to the Board of review

was a copy of the Planning Department Staff Report recommending approval, a copy of the application for variance including maps of the area and a copy of the Notice of Public Hearing. Mrs. Lawrence reviewed the application for the Board and recommended approval. The following motion was made by Commissioner Brissenden and passed unanimously:

To approve a variance application submitted by Matt Gingerich as agent for the Sierra Pacific Power Company doing business as NV Energy to increase the maximum height allowed in the RR.2.5 Rural Ranchette 2.5 acre minimum lot size zoning district from thirty-five feet to forty feet for a telecommunication pole inside the substation to eighty feet for new power poles.

REQUEST THAT THE COUNTY TEMPORARILY BECOME THE MANAGING AUTHORITY FOR THE WATER CANYON RECREATION AREA SINCE THE BLM IS UNABLE TO FILL THAT ROLE AT THIS TIME: Administrator Deist stated that the Federal Government is back to work so access to Water Canyon is again available but noted that, as the agreement between the County and the BLM is up for renewal, he and BLM Winnemucca Field Office Director Gene Seidlitz would be looking

at including wording that would allow for the County to be the managing authority in the event of any future government shutdowns. Paul Burkholder addressed the Board and spoke in support of language being included in the renewal that would not allow the closure of the area without communication occurring with the other cooperating agencies. After discussion the following motion was made by Commissioner Amos and passed unanimously:

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To table the item pending further discussion with the BLM.

REQUEST THAT HUMBOLDT COUNTY JOIN IN THE EQUAL PARTICIPATION FOR MAINTENANCE OF THE TV MOUNTAIN TOP MICROWAVE SYSTEM THAT SERVES SEVERAL TV DISTRICTS ACROSS NORTHERN NEVADA: Provided to the Board for review was

an e-mail from Paul G. Gardner of Elko Broadcasting Company who serves as the treasurer for the Elko Television District which explained how the TV District system, which provides service for White Pine, Humboldt, Elko, Eureka and Lander Counties (WHEEL) works, the importance of maintaining the connections between the mountain top microwave systems for service to all locations, the issues that have occurred since Paul Burkholder's retirement and the proposal that Eagle Communications be retained by the five counties to take over the maintenance of the Western Nevada feed with each county paying \$1,000.00 into a fund to cover costs of maintenance and necessary expenditures. Paul G. Gardner appeared before the Board and spoke in support of the request for retaining Eagle Communications and the proposed funding for the retention; he explained how the television signal is transmitted and what occurs if something breaks. Paul Burkholder commented from the audience about the equipment and building ownership, the right-of-way and licensing. Mr. Gardner commented on concerns related to the loss of knowledge as to the television districts due to retirements and other issues and on the need for ongoing maintenance now that Mr. Burkholder has retired; he provided information related to Eagle Communications including what would be provided and the cost. Discussion occurred regarding the funding proposal and that Pershing only receives PBS from the system. Rodd W. Stowell offered comment on the need for this type of system with satellite services. Mr. Gardner explained that at this point this method is the most cost effective and explained how. Mr. Burkholder also offered comment as to why this method is preferred at this time. Discussion occurred regarding the services that Mr. Burkholder has been providing since his retirement and the plan to fill the Communications Director position and how contracting these services could affect that position. Administrator Deist recommended that if the Commission decides to proceed with the contract that it be for no more than a one year period at this time. Discussion occurred regarding Eagle Communications' offer, the cost and what is covered. Chairman French asked Mr. Burkholder if he had any interest in contracting with the County to provide these services. Mr. Burkholder stated that he did but that he was not prepared to present a proposal today. Commissioner Bell asked if this coverage is required on a full time basis. Mr. Burkholder and Administrator Deist confirmed that it was. Administrator Deist explained the television district funding and budget. Chairman French noted that this proposal is not a long term relationship but just to keep the

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system up and running. The following motion was made by Commissioner Cassinelli and passed unanimously:

To accept the proposal at \$1,000.00 per month to be reviewed in a year.

POSSIBLE AWARD OF THE BID FOR THE NEW BOOKMOBILE: Provided to the Board for review was a Bookmobile Bid Review detailing the bids received from Matthews Specialty Vehicles, Farber Specialty Vehicles and OBS Specialty Vehicles and a memo from Herk Criswell as Chairman of the Library Board of Trustees recommending that the unit be re-bid to accommodate the concerns regarding the location of the generator and a recommendation of a specification for a 296 inch wheel base with reinforcement of the chassis. Sheri Allen, Library Director, Library Board members Susan Putnam, Mary Beene and Dale Mentaberry and Road Superintendent Ben Garrett appeared before the Board. Mrs. Putnam noted the memo from the Library Board Chairman and stated that the Board had decided to send out re-bids; she explained the concerns of the Board regarding the need to make sure that they get what they want with the vehicle and their belief that this would be in the best interest of the taxpayers. Chairman French asked how many bid requests would be sent out on the re-bid. Administrator Deist explained that if the Board's decision was to reject the current bids and re-bid the unit, bid requests would be sent out to the same companies that had received bid packets previously. Discussion occurred regarding the number of bids received compared to the number of requests sent out, the concerns that a re-bid could result in a higher cost, the addition of the 296 inch wheel base as opposed to the 279, the location of the generator and other areas with book mobiles. Chairman French commented on his concern on investing a large amount of money with a company that won't provide a warranty as to the dust problem noting his worry that the Library will be buying the same set of problems. Director Allen stated her belief that the addition of another layer of dust retardant by the manufacturer will help. Superintendent Garrett noted recommendations made by the manufacturers and the generator dealers related to the dust and indicated that the manufacturers and the dealer expect the generator to fail if the vehicle goes on gravel roads; he explained what had occurred with the current generator related to the dust issue, which was not covered by warranty, but noted that elevating the generator will help to minimize the risk and regular maintenance will also help but noted that with an elevated generator noise may be an issue. Commissioner Brissenden asked how other book mobile users in other states handle dust. Director Allen indicated that none of the places that had been contacted indicated any issues with dust. Chairman French again noted his concerns about recreating the same problems and suggested that it may be necessary to alter the route the book mobile takes to remove the roads that are creating the

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problems. Superintendent Garrett responded that he had contacted the manufacturers when they had not returned the dust warranties and they had indicated they would not agree to the warranty, so he had asked about other entities use of book mobiles and had been told that basically they are not taken on gravel roads unless they are treated; he noted that Kings River Road is treated in certain spots but would be very costly to treat all the way to the school and that the residents do not want treatment on Sand Pass Road. Chairman French reiterated his concern for the record that we are going to repeat this process again with a brand new book mobile and suggested that, if the discussion is to use the vehicle only on roads that are not a challenge to dust generation, then he does not believe there would be discussion about replacing the current bus. Director Allen asked if they could request a double dust coating on the new book mobile. Commissioner Cassinelli commented that if items continue to be added the cost will not be cheaper, it will go up. Administrator Deist pointed out the Road Superintendent's statement in his review indicating that from conversations with the vendors and current bookmobile maintenance history, the purchase of a new bookmobile will not solve the library's dust concerns without modification to Humboldt County's operational procedures, bookmobile design changes or both so, if the issue is that they want a dust free environment, then don't drive on gravel roads and if they are going to stay off of gravel roads then is there an issue with the existing vehicle and does this amount of money need to be spent. Discussion occurred regarding that there are only two roads that have dust issues and what would the effect be of removing those from the route and the possibility of re-thinking the design of the vehicle as the prior truck/trailer bookmobile did not have dust problems. Administrator Deist asked for clarification as to the direction of the Commission. Commissioner Cassinelli responded that he was intending to leave it up to the Library Board not up to the Commissioners but he noted that if the decision was to go with the gooseneck set up that the truck would need to have more power but he stated that they definitely better make sure there won't be a dust problem if they are going to spend \$250,000.00. Discussion occurred regarding the current design proposal. Chairman French stated that what needed to be done today was to reject the three bids and go back to the drawing board and then re-submit those bids for a later date. Commissioner Bell suggested that the bids be rejected and that some time down the road then they can come back and say they want to go out to bid for this type and the reasons for that. Based on a question from Mrs. Putnam, Chairman French stated that if the Commission rejects the bids, the Library Board can move forward with the additional bidding process, make the modifications, have the discussion internally that are needed to try and get what is being looked for and then come on back after the bid process and we will do it again. After discussion the following motion was made by Commissioner Cassinelli and passed

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unanimously:

To reject the bids and come back to the County Commission with new proposal and keep County Commission in loop.

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

REPORT OF PENDING ROAD DEPARTMENT PROJECTS: Superintendent Garrett reported on road work including issues with water availability, weed mowing, road sealing, the status of the repairs in the Orovada area following the potato harvest, road grading, crack sealing, stand pipe installation and provided an update on the Eden Valley Bridge project. Discussion occurred regarding the blading of Herschell Road, the work being done by residents on Western Horizon per a report from Ron Moser, comments received from Buster Dufurrena complimenting the road department and the status of the gravel being hauled for the Paradise Valley RV Park Project.

MISCELLANEOUS ROAD RELATED MATTERS: None offered.

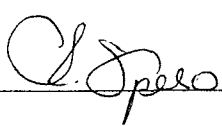
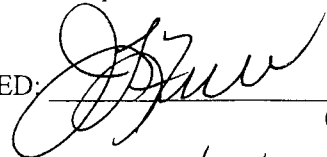
REVIEW AND POSSIBLE APPROVAL OF PROPOSAL FROM THE ABARIS GROUP TO IMPLEMENT RECOMMENDATIONS 1) CONDUCT A STRATEGIC PLANNING PROCESS ON THE FUTURE OF THE PSAP; 2) REDEFINE THE MINIMUM QUALIFICATION FOR PSAP DIRECTOR AND SUPERVISORS AND; 9) ENGINEERING ASSESSMENT OF THE COUNTY RADIO SYSTEM INFRASTRUCTURE AND TO FACILITATE THE DEVELOPMENT OF A STRATEGIC PLAN FOR THE SYSTEM:

Commissioner Bell requested that this item be tabled until the next meeting as the information was just received and he would like time to review the proposal. Discussion occurred regarding the opening date for the Dispatch Center and the length of time that it will take to implement recommendations once reviewed and approved. After discussion the following motion was made by Commissioner Bell and passed unanimously:

To table this item until November 4th.

PUBLIC COMMENTS: Chairman French asked for public comments. Sheriff Ed Kilgore invited the Commissioners to the public viewing of the Dispatch Center on Wednesday, October 23rd. No further public comment offered..

ADJOURNMENT: Chairman French adjourned the meeting at 12:07 p.m.

ATTESTED:  Clerk APPROVED:  Chairman

(Minutes approved by the Commission and signed by the Chairman on 11/18/2013)

MEMORANDUM

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

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

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

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

MEMORANDUM

TO: COUNTY COMMISSIONERS

FROM: COUNTY ADMINISTRATOR

DATE: October 1, 2013

SUBJECT: OTHER INFORMATION AND UPCOMING MEETINGS

OTHER INFORMATION:

1. Notice of Annexation of property into the City: Attached is notice from the City Attorney of the proposed annexation of property into the City.
2. Invitation: On October 29, 2013 at 5:30 p.m. at the LDS Stake Center there will be a celebration of the 100th anniversary of the affiliation of the Boy Scouts with the LDS Church. At 6:00 p.m. there will be a world wide broadcast of the affiliation. This invitation was extended by Sam Rouston.

UPCOMING MEETINGS:

1. October 23, 2013 Humboldt Development Authority
2. October 25, 2013 County Holiday
3. November 4, 2013 Commission

O. KENT MAHER
ATTORNEY AT LAW
33 WEST FOURTH STREET
P.O. BOX 130
WINNEMUCCA, NEVADA 89446

TEL: (775) 623-5277 FAX: (775) 623-2468
EMAIL: KENT@WINNEMJCCALAW.COM

FACSIMILE TRANSMITTAL SHEET

DATE: October 9, 2013
TO: Michael Macdonald Humboldt County District Attorney Fax No.: 775.623.6365
Bill Deist Humboldt County Administrator Fax No.: 775.623.6302
RE: Annexation of property into City
FROM: O. Kent Maher Winnemucca City Attorney Fax No.: 775.623.2468

COMMENTS:

Mike and Bill:

This transmittal is the formal notice on behalf of the City of Winnemucca pursuant to NRS 268.670 of the City's intention to consider annexing a certain unincorporated area to the City of Winnemucca; there are no known county roads providing access to or abutting the property. The record owners of the affected property have petitioned the City to annex the property. Upon consideration of the request and determination that the area proposed to be annexed is contiguous to, or wholly surrounded by, the City, the City accepted the petition and agreed to proceed with the annexation. Attached is a summary sheet with the parcel number, the names and address of the property owners, and a brief property description and general location of the property which will be considered for annexation. I believe the statute contemplates only that the County receive notice of the intended action by the City and it does not require formal action on the proposal by the County.

The Council considered the matter and introduced an ordinance to annex the property into the City. The public hearing and adoption of the ordinance will be considered at the October 22, 2013 Council meeting. If either of you or the County Commission have questions or comments, please contact me to discuss.

Thank you.

O. Kent Maher

O. Kent Maher
Winnemucca City Attorney

xc: City Manager (via facsimile @ 775.623.6321--w/ attachment)

NUMBER OF PAGES INCLUDING THIS SHEET: 2
ORIGINAL TO FOLLOW BY MAIL: YES NO
IF NOT PROPERLY RECEIVED, PLEASE CALL 775.623.5277

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LIST OF PROPERTY OWNER/PROPERTY IN THE TERRITORY TO BE ANNEXED

<u>APN</u>	<u>Property owner / address</u>	<u>Property description / location</u>
010-148-04	Patrick R. Morrissey / Joyce R. Morrissey 1025 Ridgeview Dr. #200 Reno, Nevada 89519-6326	E1/2 of NE1/4 of Sec 33, T36N, R38E, MDB&M, containing 80.00 acres, m/l, lying easterly of the east end of the Offenhauser Drive extension and southeasterly of the south end of Stuart Street and northerly of the north end of Ada Vista Drive