

Monday, November 18, 2013

The regular meeting of the Humboldt County Board of Commissioners was called to order on Monday, November 18, 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. Dave Buckingham and Daryl Riersgard of the Paradise Valley Weed Control District addressed the Commission regarding the question of whether the Weed District should expand and change its status to that of a Community Weed Management Association. Mr. Riersgard explained why the change is being considered noting that research is still being done but that they wanted to make the Commission aware of the matter. Discussion occurred regarding the suggestion. Administrator Deist noted that the Weed District Board probably cannot do this on their own, that there would probably be items that need to be accomplished per Statute so he suggested that at this point more research is necessary and then it can be brought before the Commission later. Chairman French asked for further public comment. None offered.

DISCUSSION & ACTION ON CORRECTION/APPROVAL OF MINUTES - OCTOBER 21, 2013

REGULAR MEETING AND NOVEMBER 4, 2013 REGULAR MEETING: Chairman French asked for corrections/additions for the minutes of October 21, 2013. Commissioner Brissenden offered grammar corrections to pages 5 and 9. The following motion was made by Commissioner Brissenden and passed unanimously:

To approve the October 21st meeting minutes as amended.

Chairman French asked for corrections/additions for the minutes of November 4, 2013. None offered. The following motion was made by Commissioner Amos and passed unanimously:

To approve the November 4th meeting minutes as presented.

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 Resolution directing the Assessor to take certain actions regarding the Secured Tax Roll: A copy of the proposed resolution was provided to the Board for review. Administrator Deist noted that this is a statutory requirement that is done annually. *Recommendation: That the Commission adopt the Resolution.*

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

To approve the consent agenda as presented.

(Resolution No. 11-18-13)

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.

MISCELLANEOUS REPORTS AND CORRESPONDENCE:

OTHER INFORMATION AND UPCOMING MEETINGS: Administrator Deist informed the Board that an invitation had been received from District Judge Montero to visit Drug Court so unless the Commission directed otherwise that would occur on December 16, 2013. Upcoming meetings and dates of importance were noted.

REPORTS FROM COMMISSIONERS REGARDING OTHER BOARDS AND COMMITTEES

THEY SERVE ON: Commissioner Brissenden noted that she had graduated from the Citizens' Academy put on by the Sheriff's Office and that she had observed Drug Court. Commissioner Amos reviewed discussion related to water banking which had occurred at the Humboldt River Water Basin Authority meeting. Chairman French discussed a recent Nevada Association of Counties Board of Directors meeting he had attended at which an update on the Wild Horse/Burro litigation had been provided. Chairman French requested that the other Commissioners provide input for the County Administrator's evaluation as he would be preparing the formal evaluation to present at the first meeting in December. Discussion occurred as to the manner in which the information could be gathered and then presented at the meeting.

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

To approve expenditures/claims for this period.

REQUEST FOR WAIVER TO ATTRITION POLICY FOR A VACANT LIBRARY ASSISTANT POSITION IN THE LIBRARY:

Library Director Shari Allen appeared before the Board. Director Allen reviewed and spoke in support of the request. Discussion occurred regarding library usage and that this position would be for thirty hours a week. Administrator Deist stated that he had reviewed the request and recommended approval. The following motion was made by Commissioner Cassinelli and

passed unanimously:

To grant the request for the library assistant position.

APPROVAL OF RESOLUTION REGARDING NUISANCE COMPLAINT AT 4055 SYCAMORE

DRIVE - SCIBIOR: Provided to the Board for review was a copy of the proposed resolution. The following motion was made by Commissioner Bell and passed unanimously:

To approve the resolution regarding the nuisance complaint at 4055 Sycamore Drive.

AUTHORIZE THE CHAIRMAN TO SIGN THE NDOW (Nevada Division of Wildlife)

WILDLIFE'S HUNTER EDUCATION/SHOOTING RANGE SUB-GRANT AWARD: A copy of the proposed NDOW sub-grant agreement was provided to the Board for review. Administrator Deist reviewed the purpose of this grant for the Board. Discussion occurred regarding the record keeping being handled by the County as they are the grantee. Chairman French stated for the record that he is a past employee of NDOW but that he will be voting on this matter. The following motion was made by Commissioner Cassinelli and passed unanimously:

To approve the request.

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

REQUEST FROM FRED ANDERSON PETITIONING THE COMMISSION TO MAINTAIN 600' OF ROAD WAY LEADING TO THE RESIDENCE OF CHRIS AND MARY CARTER IN SEC. 27 TOWNSHIP 37 NORTH RANGE 41 EAST:

Provided to the Board for review were maps identifying the location of the road way and an e-mail from Fred Anderson detailing his request petitioning the Commission to maintain 600' of road way leading to the residence of Chris and Mary Carter in section 27 township 37 north range 41 east as the developer Steve Hamilton never obtained proper permission nor established a right of way with the Bureau of Land Management (BLM) and one of the property owners is now ill and the lack of maintenance on the road way makes travel difficult, he offered to blade and smooth out the ruts and to then add some base gravel to the road way. Superintendent Garrett reviewed the location of the road way noting that the request is to tie it into an existing haul road right-of-way that runs down to 789, information on the section the road is shown in on the map and that he is not sure if the BLM will consider dual use on the haul road as it is permitted for haul trucks. BLM representatives Assistant Field Manager Melanie Mirati and Realty Specialist Julie McKinnon appeared before the Board. Superintendent Garrett noted that the request is for 600 feet but his measurements put it at 1100 to 1200 feet. Chairman French noted that he had spoken to Mr. Anderson and he had agreed that the length indicated in the e-mail was incorrect and he agreed with the distance

identified by the Road Superintendent. Superintendent Garrett continued detailing the location including the right-of-ways in the area. Discussion occurred regarding why Mr. Anderson is making the request and what work he is willing to do on the roadway. Superintendent Garrett explained that Mr. Anderson indicated that he did not want the County to apply for the right-of-way he just wanted the issue brought to the BLM but that this type of request would require the NEPA process and it would take a considerable amount of time; he continued noting that the developer had noted his intent to apply for the right-of-way but has never pursued that application due to the cost involved. Administrator Deist commented on the BLM's knowledge of activities in the area which may or may not be considered trespass and their contact with the developer regarding those issues though to date nothing has occurred. Assistant Field Manager Mirati stated that the BLM has policies and regulations and that any sort of activity in the area is surface disturbance; that the required NEPA process had not occurred and that process is part of those policies and regulations that must be complied with; she explained that she cannot represent the BLM and go outside those policies and regulations; she did note that someone else could apply for the right-of-way but the regulations would still have to be followed. Administrator Deist commented that the only benefit that he could see for someone else applying would be that it would move along though it would still take time. Commissioner Bell asked if there was any benefit to the County in applying for the right-of-way. Superintendent Garrett stated that it would not meet the County's standards for applying for right-of-ways but that does not mean the County couldn't apply. Discussion occurred regarding the ability to connect to other roads. Chairman French inquired as to whether, if the County applied for the right-of-way, would it make the process faster. Superintendent Garrett indicated not necessarily as the County would have to go through the same process. Discussion occurred regarding how long the process would take. Chairman French asked if the issue of public safety, with one of the residents having a medical condition and the potential need for emergency medical services access, would affect the ability of getting something done. Ms. Mirati indicated that she was not aware of anything like that. Discussion occurred regarding the current use of the road by the residents and the issues that could raise with the BLM. Chairman French asked if the BLM could look into the issue of EMS access. Ms. Mirati agreed to look into it. Administrator Deist observed that this is an example of issues the County has dealt with in the past as to access and that this is why there is language in the jurat on parcel maps indicating the inability of the County to guarantee access. Commissioner Cassinelli noted that the language was specifically placed on the maps because of issues like this. District Attorney Macdonald commented on access requirements. A

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person (not identified for the record) representing Mr. Anderson explained his purpose in making this request.

REPORT OF PENDING ROAD DEPARTMENT PROJECTS: Superintendent Garrett reported on the status of the chip seal project noting that it will need to be completed in the spring due to weather, crack filling, grading, shoulder work, covering, the effort to get more stand pipes installed and more water sources and scheduled culvert projects; he noted the conceptual drawings and recommended design for the Eden Valley Bridge had been received and that Newmont was no longer interested in pursuing wells that had been permitted by BLM on the corner of Red House and Midas and the corner of Jake's Creek and Midas so if the County wants to pursue that the County would have to punch the holes and pay for the drilling; so he suggested that would be something for consideration in the next budget cycle.

MISCELLANEOUS ROAD RELATED MATTERS: None offered.

REQUEST FOR CONTRIBUTION TO THE DRUG FREE GRADUATION PROGRAM: Paige Brooks appeared before the Board and spoke in support of the request for a contribution to the Drug Free Graduation Party. After discussion the following motion was made by Commissioner Amos and passed unanimously:

To approve a \$2,500.00 grant for the drug free graduation program.

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, Ken Tipton and Mike Owens, City Manager Steve West, City Clerk Lorrie Haaglund and City Attorney O. Kent Maher.

ADOPTION OF A JOINT RESOLUTION ALLOWING FOR ACCEPTANCE OF MUNICIPAL SOLID WASTE FROM FORT MCDERMOTT INDIAN RESERVATION AT THE HUMBOLDT COUNTY LANDFILL: A copy of the proposed resolution was provided to the Board for review. Chairman French noted that this item had been discussed at the Landfill Committee meeting; his recommendation was that the process be tried for a year and then be evaluated. Mayor Putnam asked about the amount of 750 cubic yards maximum identified in the resolution. Mr. Maher explained how the figure had been calculated noting that there would not be unlimited waste accepted and why that was a concern of the committee. Discussion occurred regarding the payment method. Councilman Brooks noted that there had already been two loads taken to the landfill and asked that Jolinda at DeLong be kept informed about the process. A motion was offered by Councilman Owens to accept the agreement as presented for one year and passed. The following motion was made by Commissioner Bell and passed

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unanimously:

To approve the agreement as presented for one year.

(Joint Resolution No. 2013-01)

JOINT MEETING BETWEEN THE HUMBOLDT COUNTY COMMISSION, THE WINNEMUCCA CITY COUNCIL AND THE WINNEMUCCA CONVENTION AND VISITORS

AUTHORITY: Present on behalf of the WCVA were Vice-Chairman Rodd W. Stowell, Don Stoker, City Councilman Jim Billingsley and County Commissioner Dan Cassinelli.

REQUEST FOR CONTRIBUTION TO CONDUCT A COMMUNITY ASSESSMENT RELATED TO RECREATION FACILITIES INCLUDING BOYS AND GIRLS CLUB:

Appearing before the Board and Council were Rusty Bahr, CEO of the Elko Boys & Girls Club and the Winnemucca Community Improvement Group Board of Directors including Mayor DiAn Putnam, Commissioner Mike Bell, Chad Peters, Deanna Eastman and Vince Mendiola. Mr. Bahr addressed the Boards and detailed his experience and involvement with the development of youth services in northern Nevada; he provided a brochure to the Commission and other Board members entitled "Winnemucca Community Improvement Group - Building a Vision for Winnemucca" and a hand out entitled "Winnemucca Action Steps"; he reviewed the planning proposal including the proposed budget of \$45,000.00 which is proposed to be split three ways and the time line for obtaining a community assessment. Discussion occurred regarding what is involved in the assessment and who it will benefit in addition to the Boys & Girls Club project. A motion to support the project and to approve \$15,000.00 was offered by City Councilman Cain and passed. The following motion was made by Commissioner Bell and passed unanimously:

To approve \$15,000.00 towards the project.

Discussion occurred regarding funding for ongoing projects including grants and how that would depend on what the assessment identifies as the needs best suited to sustainability for the community. Mr. Stoker offered a motion to approve \$15,000.00 for the project on behalf of the WCVA and it passed.

Mayor Putnam adjourned the Winnemucca City Council portion of the meeting at 11:14 a.m. Vice-Chairman Stowell adjourned the WCVA portion of the meeting at 11:14 a.m.

REVIEW AND POSSIBLE APPROVAL OF LIQUOR LICENSE APPLICATION FOR THE NEW MANAGER OF THE PILOT TRAVEL CENTER:

Sheriff Ed Kilgore appeared before the Board and stated that this item was no longer required.

REVIEW AND POSSIBLE APPROVAL OF PROPOSAL TO CONDUCT AN ENGINEERING

ASSESSMENT OF THE COUNTY RADIO SYSTEM INFRASTRUCTURE AND TO FACILITATE THE DEVELOPMENT OF A STRATEGIC PLAN FOR THE SYSTEM: Provided

for the Board to review was a copy of the proposed agreement for professional consulting services between CSI Telecommunications Inc. and Humboldt County and a copy of a proposal for radio engineering services to be provided by CSI Telecommunications Inc. for Humboldt County. Steve Overacker of CSI Telecommunications Inc. appeared before the Board. Mr. Overacker detailed his background for the Board and reviewed what had occurred with this project to this point including listening to the radio system and interviewing users of the system. Chairman French asked about the possible proposal from Kenwood related to this assessment. Administrator Deist stated that he had sent an e-mail but had received no response. Mr. Overacker reviewed the proposal including the action plan and explained the reasons for each of the steps identified. Discussion occurred regarding other entities that CSI has worked for and what would be occurring with this assessment. Chairman French asked if CSI would offer a warranty as to a solution. Mr. Overacker referred to the contract and what would be provided to the County under that contract. Sheriff Ed Kilgore appeared before the Board and noted his belief that this study was long overdue; he discussed the need to look at all options and the costs; he noted the potential for weather issues, the importance of maintenance of the system and that the scope of the assessment needs to be confined to the radio system. Commissioner Bell commented on the concerns related to the ability of public safety entities to communicate and the potential of looking at returning to a wide ban analog system until the current system can be fixed. Commissioner Brissenden asked about obtaining a second opinion from Kenwood. Radio Technician Ric Grantham stated that a representative had been unable to attend today's meeting but that he could try and contact them to see what they could do. Commissioner Cassinelli suggested that this process needs to proceed as soon as possible. Chairman French recognized Commissioner Brissenden's concerns but stated that he had contacted someone familiar with these types of proposals/assessments and that it did not appear that what was being presented was out of line. Chairman French asked Mr. Grantham if the stakeholders were comfortable with proceeding. Mr. Grantham agreed that the process needs to move forward. Administrator Deist recommended moving forward with this proposal. Discussion occurred about the need to build funding into the upcoming budget to address the issues that will be identified in the assessment. Chairman French suggested that the report should be staged to address the priority issues first. Mr. Overacker explained how the assessment will have time line priorities, what will be looked at from an engineering prospective and what information will be provided. Discussion occurred regarding grant opportunities that may be

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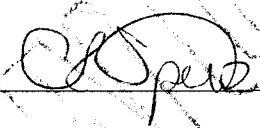
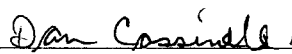
available. After discussion the following motion was made by Commissioner Bell and passed unanimously:

To approve this proposal to conduct an engineering assessment of the County radio system infrastructure and to facilitate the development of a strategic plan for the system.

Commissioner Brissenden asked Administrator Deist if he had looked into the policies and procedures as to Ric Grantham and his job classification. Administrator Deist stated that he had and that Mr. Grantham has not been directed to do anything other than his job in writing and that is where the working above job classification comes in and that he would not discuss personnel issues at a public meeting. Chairman French stated that it is something that needs to be brought up again, that it should be discussed with the Administrator to see what has been assigned and to determine how it proceeds from there.

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

ADJOURNMENT: Chairman French adjourned the meeting at 12:00 p.m.

ATTESTED:  Clerk APPROVED:  Vice-Chairman

(Minutes approved by the Commission and signed by the Chairman on 12/16/2013)

MEMORANDUM

TO: COMMISSIONERS
FROM: ADMINISTRATOR
DATE: November 14, 2013
SUBJECT: CONSENT AGENDA

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

1. Adoption of Resolution directing the Assessor to take certain actions regarding the secured tax roll: The Commission is required to adopt this resolution yearly by statute. The resolution is attached.

Recommendation: That the Commission adopt the Resolution.

MEMORANDUM

TO: COUNTY COMMISSIONERS
FROM: COUNTY ADMINISTRATOR
DATE: November 14, 2013
SUBJECT: OTHER INFORMATION AND UPCOMING MEETINGS

OTHER INFORMATION:

1. Drug Court visit: Judge Montero has invited the Commission to visit Drug Court. In discussion with the Judge it was agreed to do this during a Commission meeting and place it on the agenda. Unless directed otherwise we will place it on the December 16, 2013 agenda.

UPCOMING MEETINGS:

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| 1. November 22, 2013 | Sage Grouse Video Meeting |
| 2. November 27, 2013 | Administrator on Leave |
| 3. November 28 and 29, 2013 | County Holidays |
| 4. December 2, 2013 | Commission |