

Tuesday, January 21, 2014

The regular meeting of the Humboldt County Board of Commissioners was called to order on Tuesday, January 21, 2014, at 9:30 a.m. in the regular place of meeting at the Courthouse, Winnemucca, Nevada. Those present were Chairman Dan Cassinelli, Commissioners Garley Amos Jr., Mike Bell, Jim French and Marlene Brissenden, District Attorney Michael Macdonald, Administrator Bill Deist and Clerk of the Board Tami Rae Spero.

**PUBLIC COMMENTS:** Chairman Cassinelli asked for public comments. Clyde Wayland inquired as to the status of the appointment to the vacant hospital board seat. Commissioner Amos noted that the position of this Board has been to let the Hospital Board run itself. Administrator Deist responded that once the Commission is notified by the Hospital Board of the vacancy they would proceed with the appointment process but as of today no such notification has been received. Commissioner French asked the District Attorney about the legal standing as it is a publicly elected seat that has been vacant since June and it appears that there is no intent to fill that seat. District Attorney Macdonald indicated that he did not know what the intent is, that his contact with Mr. Maher had indicated that something was possibly going to be submitted to the Commission but that he has not received anything more but it does take hospital action. Mr. Wayland commented on the hospital board meetings and what occurs during the meetings. District Attorney Macdonald noted the limited authority that the County has in regards to the hospital as it is a separate governmental entity. Commissioner French again questioned whether there would be a legal requirement to fill an elected seat. District Attorney Macdonald stated that he has not reviewed the statutes related to the hospital district and all he knows is what he indicated earlier. Discussion ensued regarding the issue and Chairman Cassinelli requested that the District Attorney speak to Mr. Maher regarding the issue. Chairman Cassinelli asked for further public comments. Patricia Tindall, Director of the Senior Citizens Center and Robert Osti, Chairman of the Senior Citizens Board of Directors appeared before the Board. Director Tindall providing an update on Senior Citizens projects including a new housekeeping service, the new meals on wheels vehicle, the application and award of a transit van, the donation of an older van to the Ft. McDermitt Senior Citizens Center, the successful Thanksgiving and Christmas dinners held, the publication of a center newsletter, a new Ameri-Corp volunteer at the Center, the proposal to partner with Sonoma Industries to provide laundry service for seniors, a proposed transit program associated with vogue rehab and the status of the Senior Citizens Center building project. Mr. Osti commented on the annual report. Commissioner French offered his thanks to Director Tindall for all of her efforts as to the expansion. Discussion occurred regarding an

item to be included in the February 3<sup>rd</sup> Commission meeting relative to a letter of support for the Senior Citizens Center CDBG grant application. Chairman Cassinelli asked for further public comment. None offered.

*Administrator Deist suggested that due to the time that the Commission proceed to item 3 on the agenda and return to item 1D and item 2 as time allows. Chairman Cassinelli concurred.*

**COMMUNITY DEVELOPMENT BLOCK GRANT:**

**QUARTERLY 2013 REPORT:** A copy of the Quarterly Project Report was provided to the Board for review. Administrator Deist noted that this is an annual requirement and recommended authorization for the Chairman to sign. The following motion was made by Commissioner Brissenden and passed unanimously:

*To approve the Community Development Block Grant for 2013 as presented.*

**LETTER OF AGREEMENT FOR THE MCDERMITT COMMUNITY SERVICE MULTIPLEX PROJECT WITH THE MCDERMITT FIRE DISTRICT AS SUB-RECIPIENT OF \$233,000:**

A copy of the proposed letter of agreement was provided to the Board for review. Administrator Deist reviewed the Letter of Agreement for the Board and recommended that the Board authorize the Chairman to sign the letter. The following motion was made by Commissioner Amos and passed unanimously:

*To have the Chairman sign the letter for the McDermitt Fire District.*

**BUDGET AMENDMENT, SCOPE OF WORK CHANGES, EXTENSION REQUEST AS RECOMMENDED AND APPROVED BY THE MCDERMITT FIRE DISTRICT FOR COMMISSION APPROVAL TO SUBMIT TO CDBG:**

Copies of the documents associated with the item were provided to the Board for review. Administrator Deist review the work changes and asked that the Board authorize the Chairman to sign. After discussion regarding the amount of the grant the following motion was made by Commissioner French and passed unanimously:

*To accept the budget amendment and scope of work changes, extension request as recommended and approved by the McDermitt Fire District for the CDBG grant.*

**DISCUSSION & ACTION ON CORRECTION/APPROVAL OF MINUTES - DECEMBER 16, 2013 REGULAR MEETING AND JANUARY 6, 2014 REGULAR MEETING:**

Chairman Cassinelli asked for corrections/additions for the minutes of December 16, 2013; none offered. The following motion was made by Commissioner Amos and passed unanimously:

*To approve the December 16, 2013 minutes.*

Chairman Cassinelli noted that the minutes for January 6<sup>th</sup> had not been presented for

consideration.

**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 Water Budgets: Copies of the water budgets prepared by the State Engineer were provided to the Board for review. *Recommendation: That the Commission approves the water budgets.*
2. Appointment to the Orovada Rodent Control District: Requests for re-appointment to the Orovada Rodent Control District from Jean Williams and Darla Bartell were provided to the Board for review. *Recommendation: That the Commission appoint Jean Williams and Darla Bartell to the Orovada Rodent Control District.*

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 noted that the Landfill Committee would meet later 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:**

**OTHER INFORMATION AND UPCOMING MEETINGS:** Administrator Deist updated the Board on the settlement conference related the DeLong Roads which had occurred January 7<sup>th</sup> through the 9<sup>th</sup>. Commissioner French thanked the Administrator for his efforts during the negotiations related to the roads. Upcoming meetings and dates of importance were noted.

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

**THEY SERVE ON:** Commissioner Brissenden asked Commissioner Bell about the status of the Local Emergency Planning Commission related to meeting State standards as discussed at a prior meeting; Commissioner Bell and Administrator Deist indicated that the minutes have been provided and that the Sheriff has assured the Administrator that he will provide the remaining items by the end of the month. Discussion occurred regarding the status of the radio study. Commissioner Brissenden asked District Attorney Macdonald to provide an update as to what had occurred at a Paradise Valley Weed District Meeting. District Attorney Macdonald explained his purpose in attending the meeting related to a contract between the weed district and the State and discussion which had occurred during the public

comment portion of the meeting relative to resignations and what he will be researching related to that issue. Commissioner Brissenden addressed controversy related to the District and questioned when Humboldt County could request an audit. District Attorney Macdonald stated that he was not prepared to comment on that as he was not aware of a need for an audit as the District falls below the required fiscal threshold for governmental entities to be audited. Discussion occurred regarding the District's budget, a transfer of funds to the Paradise Valley Conservation District which appeared to place them below the threshold, ownership of the equipment used by the District and the concerns related to those issues. Administrator Deist noted concern that any further discussion could create an Open Meeting Law issue as this item was not agendaized. Chairman Cassinelli and Commissioners French and Brissenden requested that the matter be placed on the next agenda for discussion. Chairman Cassinelli commented on a WCVA meeting he had attended and concerns related to the drop in room tax revenues and the potential need to start cutting back. Commissioner French updated the Board on the litigation filed by the Nevada Association of Counties related to the wild horse/burro issue and the possibility of costs for that litigation being assessed against the counties. No further reports offered.

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

*To accept the expenditures as presented.*

**REQUEST FROM YOUTH AND FAMILY SERVICES FOR A WAIVER TO THE ATTRITION POLICY FOR AN ADMINISTRATIVE SPECIALIST POSITION CURRENTLY VACANT:** Chief

Juvenile Probation Officer Ed Sampson appeared before the Board and spoke in support of the request for a waiver to the attrition policy for an administrative specialist position which is currently vacant in Pershing County. After discussion the following motion was made by Commissioner French and passed unanimously:

*To accept the request for waiver to the attrition policy for that position in Lovelock as requested by Juvenile.*

**APPROVAL OF RESOLUTION FOR EXCEPTION FOR CERTAIN BUDGET ACTIVITIES FOR DENIO TV, QUINN RIVER TV, AND WINNEMUCCA RURAL FIRE DISTRICT:** Copies of

the proposed resolutions were provided to the Board for review. Comptroller Sondra Schmidt appeared before the Board and explained the request noting that in the past this request has also included the Humboldt Fire District but it is no longer being included as it is a component unit of the County audit. The following motion was made by Commissioner French and passed unanimously:

*To approve the resolution for exception for certain budget activities for Denio TV, Quinn River TV and Winnemucca Rural Fire District as presented.*

*(Resolution No. 01-21-14/01-21-14a/01-21-14b)*

**APPROVAL OF FUNDING AGREEMENT WITH STATE LANDS TO COMPLETE THE WINNEMUCCA MOUNTAIN BIKE TRAIL:**

A copy of the proposed funding agreement between the State of Nevada acting by and through its Division of State Lands and the Conservation and Resource Protection Grant Program and Humboldt County was provided to the Board for review. Administrator Deist explained that this is an ongoing project which was being managed by GBI but as they are no longer involved it falls to the County to complete the project as to signage and brochures; he noted that Chuck Austin has installed signage at his own out of pocket expense and that reimbursement for that expense would be accomplished; he requested that the Board authorize the Chairman to sign the agreement. Discussion occurred regarding the amount of the funding including the match. The following motion was made by Commissioner Brissenden and passed unanimously:

*To approve the funding agreement with State Lands to complete the Winnemucca Mountain Bike Trail.*

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

**REVIEW AND AUTHORIZATION TO PROCEED WITH ANNUAL MAG BID:** Provided to the Board for review was a memo from the Road Superintendent detailing his request for the Magnesium Chloride Bid for 2014 and an attachment identifying the locations and approximate quantity of magnesium chloride or alternate product required. Superintendent Garrett spoke in support of the request noting that the budgeted amount is \$20,000.00 over the prior year and reviewing the application process and the roads included. Commissioner Brissenden asked about the test strip of an alternative product from the prior year. Superintendent Garrett explained that due to rain it was not an effective test so it will be attempted again this year. Commissioner French noted vendor complaints regarding the Hycroft portion of Jungo Road. Superintendent Garrett commented on his review of the condition the road and discussions with Hycroft as to how it will be handled. Discussion occurred regarding a proposed rail road spur at the Hycroft site. The following motion was made by Commissioner Amos and passed unanimously:

*To give permission to the Road Superintendent to bid the annual dust control project.*

**REPORT OF PENDING ROAD DEPARTMENT PROJECTS:** Superintendent Garrett reported on gravel covering, grading, crack sealing, cattle guard cleaning/replacement and the culvert project.

Commissioner Amos complimented the Road Department on the condition of Sand Pass and Davey Town Roads.

**MISCELLANEOUS ROAD RELATED MATTERS:** Discussion regarding grading in dry conditions occurred.

**FINAL RETREAT PLANING:** Administrator Deist reviewed the items previously identified. Discussion occurred regarding the water plan proposal. Items identified for inclusion were water plans, items relative to planning and the Regional Planning Commission, the Planning Director position, the inclusion of representatives from the Nevada Division of Environmental Protection related to the water plans, road matters including discussion as to the issue of a contingency plan for funding the Road Fund without PILT, budget matters, a review of the Treasurer's Report by the Treasurer and consideration of combining the Communication and IT Departments. Commissioner Amos suggested that if there is not sufficient time to deal with all matters the retreat could be continued to another day or time.

**REVIEW, DISCUSSION, DEVELOPMENT AND AUTHORIZATION TO SUBMIT COMMENTS ON THE NEVADA AND NORTHEASTERN CALIFORNIA GREATER SAGE GROUSE DRAFT LAND USE PLAN AMENDMENT AND ENVIRONMENTAL IMPACT STATEMENT:**

Cooperative Extension Agent Brad Schultz appeared before the Board. Mr. Schultz provided a handout to the Board for review and explained why an Environmental Impact Statement (EIS) was being conducted, what the EIS addresses, proposes and analyzes and what conclusions can be drawn from it. Mr. Schultz reviewed his proposed input related to the EIS and detailed his concerns for the Board. Commissioner French asked if the deadline for comments could be met. Mr. Schultz indicated that he will have comments but they will not be complete due to the size of the document and the amount of review necessary. Commissioner French discussed his concerns with the report including the cherry picking of data and the lack of inclusion of the wild horse impact. Commissioner Brissenden thanked Mr. Schultz for his work on the project. Commissioner French commented on the regulatory controls already in place. Mr. Schultz discussed the effect of NEPA on the sage grouse issue. After discussion Administrator Deist requested that as the deadline for comments is prior to the next regular Commission meeting that the Commission authorize submission of the comments. The following motion was made by Commissioner French and passed unanimously:

*To approve Mr. Schultz to provide the specific comments to the draft EIS on behalf of Humboldt County.*

**PUBLIC COMMENTS:** Chairman Cassinelli asked for public comments. Ken Hladek commented on

the hospital board vacancy, the ability of members of the Hospital Board to put an item on the agenda and the ability of the Commission to make official contact with the Hospital Board to inquire as to what is occurring. No further public comment offered.

**ADJOURNMENT:** Chairman Cassinelli adjourned the meeting at 11:39 a.m.

ATTESTED: C. J. Spino Clerk APPROVED: Dan Cassinelli Chairman

(Minutes approved by the Commission and signed by the Chairman on 2-3-2014)

UNOFFICIAL

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**MEMORANDUM**

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**TO: COMMISSIONERS**  
**FROM: ADMINISTRATOR**  
**DATE: January 14, 2014**  
**SUBJECT: CONSENT AGENDA**

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

1. Approval of Water Budgets: Is a memo with the background. This is an item you deal with each year.

*Recommendation: That the Commission approves the water budgets.*

2. Appointment to the Orovada Rodent Control District: Attached are requests from Jean Williams and Darla Bartell requesting appointment.

*Recommendation: That the Commission appoint Jean Williams and Darla Bartell to the Orovada Rodent Control District.*



**MEMORANDUM**

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**TO: COUNTY COMMISSIONERS**  
**FROM: COUNTY ADMINISTRATOR**  
**DATE: January 14, 2014**  
**SUBJECT: OTHER INFORMATION AND UPCOMING MEETINGS**

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**OTHER INFORMATION:**

1. Settlement Conference Delong Roads: The District Attorney and I represented the County at this conference January 7-9 in Reno. We reached a tentative agreement on a settlement and will review another draft of the agreement at the end of the month. We are scheduled to meet with the Judge again March 5 to finalize this agreement. The District Attorney and I would be willing to answer any questions you might have at the meeting.

**UPCOMING MEETINGS:**

1. January 21, 2014                      Landfill Committee
2. January 24, 2014                      NACO Board and Public Lands Task Force
3. January 27, 2014                      Retreat
4. January 29, 2014                      Dispatch Meeting with Abaris Group
6. February 3, 2014                      Commission