

Monday, April 21, 2014

The regular meeting of the Humboldt County Board of Commissioners was called to order on Monday, April 21, 2014, at 9:00 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, Administrative Assistant Brenda Willey and Clerk of the Board Tami Rae Spero.

PUBLIC COMMENTS: Chairman Cassinelli asked for public comments. Rob Nuffer addressed the Board regarding an item previously discussed by the Commission regarding a public land sale by the BLM that he had opposed; he continued discussing what had occurred since that time including the speed of the process and notice he has received regarding the BLM moving forward with reclassification and his concerns as to what can occur in the future and the effect on AUMs; he requested that the County Commission enter a protest to the land sale. Chairman Cassinelli offered an explanation as to the speed of the process but questioned whether the Commission could offer comment at this point. Commissioners Bell and French suggested that the matter be placed on an agenda for discussion and possible action. Chairman Cassinelli commented on the purpose of the reclassification study and suggested that if the sale does move forward then a comment period will be available for the Commission. Discussion occurred regarding the ability of the Commission to offer comment. Chairman Cassinelli asked for further public comment.

Rodd W. Stowell addressed the Commission regarding the recent sale of one of the County's translators to KWNA and issues with the transfer of the translator in a timely manner which had resulted in issues for him with his employer and his subsequent resignation from KWNA; he commented on notification provided to his competitor but not to him by the County Manager as to the necessary contracts and his problems with what had occurred. Mr. Stowell also informed the Commission that he had resigned his appointment to the WCVA. Commissioner French questioned how one packet went out and not the other since everyone was aware that the two entities were involved. Commissioner Brissenden asked if the Commission could do anything at this point to assist Mr. Stowell; he responded that everything has been taken care of now. Chairman Cassinelli asked for further public comment. None offered.

DISCUSSION & ACTION ON CORRECTION/APPROVAL OF MINUTES - MARCH 17TH AND APRIL 7TH REGULAR MEETING MINUTES AND MARCH 24, 2014 BUDGET HEARING MINUTES: Chairman Cassinelli asked for corrections/additions for the minutes of March 17, 2014;

Commissioner Brissenden offered a grammar correction on page 3. The following motion was made by Commissioner Bell and passed unanimously:

To approve the meeting minutes of the 17th as corrected.

Chairman Cassinelli asked for corrections/additions for the minutes of April 7, 2014; Commissioner Brissenden offered a change to language in the Commissioner Reports changing the word from "workshop" to "expansion". The following motion was made by Commissioner French and passed unanimously:

To approve with the additions that Commissioner Brissenden brought up.

No meeting minutes were submitted for consideration for the March 24, 2014 budget hearing.

ADMINISTRATIVE REPORT:

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

APPROVAL OF AN INTRASTATE INTERLOCAL CONTRACT BETWEEN THE DEPARTMENT OF HEALTH AND HUMAN SERVICES DIVISION OF WELFARE AND SUPPORTIVE SERVICES AND THE SIXTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA IN AND FOR HUMBOLDT & PERSHING COUNTY FOR CHILD SUPPORT ENFORCEMENT HEARING MASTER AND COURT SERVICES:

A copy of the proposed contract was provided to the Board for review. After discussion the following motion was made by Commissioner Bell and passed unanimously:

To approve the consent agenda as presented.

SOLID WASTE MATTERS: Administrative Assistant Willey stated that she 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: Administrative Assistant Willey stated that she had nothing on this item.

MISCELLANEOUS REPORTS AND CORRESPONDENCE:

OTHER INFORMATION AND UPCOMING MEETINGS: Administrative Assistant Willey stated that she had nothing on this item.

REPORTS FROM COMMISSIONERS REGARDING OTHER BOARDS AND COMMITTEES

THEY SERVE ON: Commissioner French commented on a meeting he had attended regarding the sage grouse issue. Commissioner Brissenden reported on her attendance at a meeting related to the Pine Forest bill, her service on jury duty and her attendance at a workshop related to the hospital expansion.

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

To approve the expenditures.

ADOPTION OF A RESOLUTION FOR THE RETURN OF SALE OF TRUST PROPERTY: A copy of the proposed resolution was provided to the Board for review. Treasurer Gina Rackley appeared before the Board and discussed the results of the recent Treasurer's Tax Auction. After discussion the following motion was made by Commissioner Brissenden and passed unanimously:

To adopt the resolution for the return of sale of trust property.

(Resolution No. 04-21-14)

PLANNING, ORGANIZATION AND DIRECTION REGARDING HUMBOLDT COUNTY HAVING AN ENTRY IN THE NEVADA DAY PARADE ON NOVEMBER 1, 2014 COMMEMORATING NEVADA'S ADMISSION TO STATEHOOD 150 YEARS AGO:

Commissioner French explained that the purpose of this item was to bring it into the public forum and attract people in the community to become involved in the project. Clerk Spero commented that she had contacted Andy Anderson at the high school to see if he would have an interest in pursuing this project but that he had been unable to commit at this time and since she was unsure as to who else might be interested, she had agreed with Commissioner French that bringing the project into the public would be the best way to go. Discussion occurred regarding the possibility of the Commission offering a financial contribution to assist with the cost of the project, the possibility of involving the WCVA, the City Council and the School District in the planning/funding, the need to hold an organizational meeting and perhaps advertise to attract people to the project. Commissioner French volunteered to take the lead on getting the project going. After discussion the following motion was made by Commissioner Bell and passed unanimously:

To go forward with the planning and organization of the float for the one hundred and fifty year parade and that Commissioner French will be working with staff to put it out in the paper and to prepare flyers.

REQUEST FOR WAIVER TO THE ATTRITION POLICY FOR A DEPUTY SHERIFF

VACANCY IN THE SHERIFF'S OFFICE: Sheriff Ed Kilgore appeared before the Board. Sheriff Kilgore explained that the vacancy is in the patrol division but a detention officer has expressed an interest in filling that position so with that transfer the position that will actually be filled will be in the detention division. Commissioner French began a motion to approve the request when discussion

occurred regarding whether action could be taken today due to the change in the division in which the position is to be filled. District Attorney Macdonald noted that the agenda item did not refer to either patrol or detention just to a deputy position. Commissioner Amos offered a motion to deny the request. Commissioner French noted that his motion was still pending. Commissioner French re-stated his motion which passed with Chairman Cassinelli and Commissioners Bell, French and Brissenden voting aye and Commissioner Amos voting nay:

To waive the attrition policy for a deputy position in the Sheriff's Office.

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

VH-14-04 - A variance request submitted by Ronda Havens and Kevin Kirkelie to reduce the required 15' south side setback in the RR-2.5 (Rural Ranchette 2.5 acre minimum lot size) zoning district to 5'. The request is to allow for an addition to be built on to the existing dwelling. Subject property is located at 6875 Grass Valley Road; APN 3537-12-379-001: A copy of the Notice of Public Hearing, a copy of the Planning Staff Report recommending approval and a copy of the application with map were provided to the Board for review.

Mrs. Lawrence reviewed the request for the Board and recommended approval. Chairman Cassinelli asked for public comment, none offered. The following motion was made by Commissioner Amos and passed unanimously:

To approve VH-14-04 request to reduce the required fifteen foot south side setback on assessor's parcel number 3537-12-379-001.

CONSIDERATION, PRICE ESTIMATES AND DISCUSSION FOR THE PURCHASE OF A NEW COMMISSION MEETING ROOM PROJECTOR SYSTEM: J.D. Ames and Brad Rathbun of the IT Department appeared before the Board. Mr. Ames reviewed the proposal from J&S Digital for a projection system for the County Meeting Room in the amount of \$8,729.00 for the Board. Commissioner Amos questioned whether this change should be tabled until a decision about the District Court room was made. Commissioner Bell noted the amount of time involved with any changes as to the District Court room or the meeting room. Commissioner French concurred and noted that this issue has been discussed several times and the matter is a safety issue and needs to be taken care of. Commissioner Brissenden concurred. Discussion occurred whether the change needed to be done in the current fiscal year or whether it could wait until after July 1st; following the discussion the Board concurred that it should be included in the 2014-2015 fiscal year's budget. Mr. Ames noted some potential electrical

issues that would need to be addressed and the possibility of additional costs. Commissioner French asked Mr. Ames to confirm with J&S that the quote would be good for an additional 60 to 90 days. The following motion was made by Commissioner Bell and passed unanimously:

That the Commission approves the purchase of a projector system for the meeting room to be included in the 2014-2015 budget in an amount not to exceed \$10,000.00.

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

DESIGNATION OF SURPLUS VEHICLES:

1. Road Department pick-up 1994 GMC K3500, VIN #1GTHK34FRE511036 with 200,000 miles and with several minor mechanical problems and body damage:

2. Road Department 1978 Fruehauf 11 yard belly dump pup VIN #FRZ719804, with damaged gates. The replacement for this unit is scheduled for delivery in May: Superintendent Garrett reviewed the request for the designation of surplus on the 1994 GMC pick-up and the 1978 Fruehauf 11 yard belly dump pup. After discussion the following motion was made by Commissioner Amos and passed unanimously:

To approve the designation of surplus on the two vehicles.

TRANSFER OF 2000 FORD TAURUS, VIN #1FAFP52UOYA200518, WITH 116,000 MILES FROM JUVENILE SERVICES (LOVELOCK) TO ASSESSOR'S OFFICE: Superintendent Garrett

stated this request had been withdrawn as the vehicle is remaining in Lovelock.

LETTER OF SUPPORT TO THE FORT MCDERMITT TRIBE FOR A PROPOSED ROAD

PROJECT: Provided to the Board for review was a copy of a memo from Superintendent Garrett reviewing the planned project (attached), a copy of the plans for the project and information from the contractor regarding the project. Superintendent Garrett explained the request from the Fort McDermitt Tribe for a letter of support related to a proposed road project's grant application; said grant, if approved, would assist in funding improvements on US 95 in front of the new travel center, the widening of Humboldt County Route #334 or South Road and construction of a new road Tribal Route #41 within the tribal boundaries. Superintendent Garrett stated his concurrence with the proposed project. After discussion the following motion was made by Commissioner Brissenden and passed unanimously:

That the Commissioners write a letter of support on behalf of the Fort McDermitt Tribe for a proposed road project.

Superintendent Garrett noted that they needed the letter by April 25th. Administrative Assistant Willey stated that it could be prepared today for the Chairman's signature.

REPORT OF PENDING ROAD DEPARTMENT PROJECTS: Superintendent Garrett reported that the bids for the chip seal project would be presented at the May 5th meeting for consideration for award, he reviewed the status of the prior year's project, reported on road covering, grading, the mag chloride project and stand pipe installation. He discussed the status of the Eden Valley Bridge Project which was now scheduled for 2016 and noted that realignment of the bridge is now being explored. Discussion occurred regarding the proposal. Superintendent Garrett noted that the NDOT striping agreement is being discussed as it is due to expire in December.

MISCELLANEOUS ROAD RELATED MATTERS: No items presented.

CONSIDERATION TO APPOINT AND SELECT A VOTING MEMBER OF TO THE NEVADA HOMEMLAND SECURITY WORKING GROUP (HSWG) FOR 2014: Provided to the Board for review was a letter from Christopher B. Smith, Chief, Nevada Department of Safety Division of Emergency Management Homeland Security notifying the County of the availability of a position to represent Humboldt on the Nevada Homeland Security Working Group (HSWG), a copy of the Governor's Executive order 2011-31 and an e-mail from Karen L. Hall, of the NV Division of Emergency Management & Homeland Security detailing the request. Commissioner French explained the request. After discussion the following motion was made by Commissioner French and passed unanimously:

To appoint Commissioner Bell as part of the Homeland Security Working Group per the request of the Governor's Executive Order of 2011.

ADOPTION OF RESOLUTION SUPPORTING COMPLETION OF THE NUCLEAR REGULATORY COMMISSION'S REVIEW OF THE YUCCA MOUNTAIN LICENSE

APPLICATION: A copy of the proposed resolution was provided to the Board for review. Commissioner French voiced his concern with the language noting that while he agrees that all information needs to be provided he thinks the resolution goes further than that and has concerns that by signing the resolution it appears that the project is ready to go forward which it is not. Rodd W. Stowell appeared before the Board and discussed four major issues with the Yucca Mountain project and stated his support for stopping the process. Ken Hladek addressed the Board and commented on the letter of support he had previously provided to the Board noting that this action has no impact as to the project but does support Nye County in their request for the release of information; he commented on why the release of the information is a good thing. Commissioner Bell noted that this is only a resolution and therefore has no teeth, it only asks for information. Commissioner French responded as to his concern that when the resolution is added to the other 17 counties similar resolutions, it makes it appear as though there is an

interest in reactivating the project; he continued noting his concern about not having all of the information regarding the request and stated that he is not comfortable with the language of the resolution. Commissioner Brissenden commented that Humboldt County has always been neutral as to the Yucca Mountain Project and this resolution appears to say that Humboldt County has an interest in going forward with the project; she noted calls that she has received from constituents opposed to this resolution. Commissioner Amos commented that the resolution supports the release of information to the public; it is not supporting the project. Chairman Cassinelli stated that was how he read the resolution too. Commissioner Bell noted the importance of the information be released as is requested in the resolution. Commissioner French referred to language contained in the resolution that concerned him. Discussion occurred regarding the language. The following motion was made by Commissioner Amos and passed with Chairman Cassinelli and Commissioners Amos and Bell voting aye and Commissioners French and Brissenden voting nay:

To accept the resolution presented by Nye County.

(Resolution No. 04-21-14a)

REQUEST FROM HUMBOLDT AND PERSHING COUNTY COMMUNITY HEALTH FOR CONTRIBUTION TO COVER COST OF RENTAL OF INDOOR EVENT CENTER FOR FREE FLU EVENT ON SEPTEMBER 27, 2014:

Lori Savoie, Community Health Nurse for Humboldt & Pershing Counties, appeared before the Board and spoke in support of the request and reviewed the prior year's event. The following motion was made by Commissioner French and passed unanimously:

To accept the request for a grant to cover the costs of the Indoor Events Center for the free flu event on September 27, 2014.

RECOMMENDATION FROM INSURANCE COMMITTEE AS TO PROGRAMS FOR FISCAL YEAR 2014-2015:

Insurance Committee representatives Road Superintendent Ben Garrett and Comptroller Sondra Schmidt appeared before the Board. Superintendent Garrett reviewed the proposal and recommendations for the Board. Comptroller Schmidt offered comment. After discussion the following motion was made by Commissioner Bell and passed unanimously:

To accept the recommendations of the Insurance Committee and go with that program for 2014 - 2015.

PUBLIC COMMENTS: Chairman Cassinelli asked for public comments. No public comments offered. Chairman Cassinelli asked about having Mike Baughman of the Public Lands Task Force meet with the Commission. Commissioner French commented on the issues with meeting with all of the Counties as to

Mr. Baughman's contract. Discussion ensued. Commissioner Cassinelli asked about having the BLM at the next Commission meeting related to the land acquisition issue. Discussion ensued. Commissioner Brissenden asked about the responsibility of maintaining the landfill sign. Superintendent Garrett stated that he would look into the matter. No further comments offered.

ADJOURNMENT: Chairman Cassinelli adjourned the meeting at 11:10 a.m.

ATTESTED: J. Spew Clerk APPROVED: Don Cassinelli Chairman

(Minutes approved by the Commission and signed by the Chairman on 6/19/2014)

UNOFFICIAL

To: Humboldt County Board of Commissioners
From: Ben Garrett, Road Superintendent
Date: April 14, 2014
Subject: Fort McDermitt Proposed Road Project

The Fort McDermitt Tribe contacted the Humboldt County Road Department on April 10, 2014 through Bob McNichols of REZ Builders. The Tribe is seeking a letter of support for a proposed road project.

With the assistance of REZ Builders the Tribe is applying to USDOT for a TIGER grant. The grant if approved would assist in funding improvements on U S 95 in front of the new Travel Center, widening of Humboldt County Route #334 or South Road and construction of a new road Tribal Route #41 within the tribal boundaries. Tribal Route #41 will intersect South Road in two locations. The pavement on South Road is currently 24 feet wide, the proposal increases the width to 32 feet. The intersections and roadways will meet or exceed Humboldt County Standards. The circular design of the Route #41 roadway will help facilitate the flow of traffic ingress and egress to the Travel Center including large vehicles. The improvements to U S 95 and the intersection of South Road increases safety for ingress and egress. The plans call for a deceleration lane and storage for left and right turns. Additionally an acceleration lane will be added northbound.

The plans as submitted by Bob McNichols will meet all the requirements of Humboldt County for Road Construction. The deadline for the TIGER Grant application is April 28, 2014.