

Monday, January 26, 2015

The Annual Retreat of the Humboldt County Board of Commissioners was called to order on Monday, January 26, 2015 at 8:00 a.m. at the Winnemucca Events Complex Exhibit Hall Meeting Room, Winnemucca, Nevada. Those present were Chairman Garley Amos, Jr., Commissioners Marlene Brissenden, Mike Bell, Jim French and Ron Cerri, District Attorney Michael Macdonald, Administrator Dave Mendiola and Clerk of the Board Tami Rae Spero. Also in attendance were former Administrator Bill Deist, Comptroller Sondra Schmidt, Administrative Assistant Brenda Willey and Deputy District Attorney Gabrielle Carr.

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

**COMMISSIONERS' RETREAT/PLANNING SESSION:**

**OPENING COMMENTS:** Administrator Mendiola offered opening comments noting that he was new and very excited to be here; he continued discussing the need to keep the retreat meeting focused and his plans to capture the information and priorities discussed and to then present a review at a future Commission meeting.

*Chairman Amos stated that as Wayne Carlson of POOL/PACT has not yet arrived the Board will move to item 2D at this time.*

**BUDGET:** Comptroller Sondra Schmidt appeared before the Commission.

**What is the balance we can strike between building strong ending fund balances and investing in our future/ Review maintenance and capital improvement plans to address perceived needs for building.**

Comptroller Schmidt reviewed the status of the fund balances including the General Fund, the concerns related to the continued decline in CTX revenues and the use of fund balance in both the current fiscal year budget and the FY 15/16 budget; Comptroller Schmidt asked the Commission's direction for considering an increase in the property tax amount. Chairman Amos stated that he would like to keep it as is and try to curtail spending. County Treasurer Gina Rackley appeared before the Commission and discussed the trend with CTX revenues and noted the need for fiscal responsibility. Discussion occurred regarding net proceeds including that the amount for this year is still unknown and what had been received in the prior year, the possibility of an internet sales tax in the future, that the prior direction of the Board to retain a goal of 60% ending fund balance and to keep department requests equal to revenue projections has not been met, a review of the General Fund revenues and expenses from the most recent quarterly report, possible issues with future PILT and net proceeds revenues, projects that cannot be put off such as the CSI and Abaris Reports for the Dispatch and Communications, how the cost for those

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projects will be handled, the need to hold the line on expenditures including use of the attrition policy with consideration as to public safety positions and that the message to Management Team should be that no positions should be sought unless they are crucial.

Buildings and Grounds Director Doug Cain appeared before the Commission to discuss the county facilities and his possible budget requests including that overall the structures are in good shape, that the heating/cooling units in the jail will need replaced, the plan for that replacement and the estimated cost, the need for a storage tank, work on two parking lots, the courthouse sidewalk replacement project, that service contracts will be increasing and the LED bulb replacement project. Commissioner Bell noted the possibility of the juvenile court master moving to the courthouse; discussion ensued. Commissioner French commented on the need to see more of a priority as to the maintenance on the courthouse building noting the responsibility of it being a historic building; discussion ensued.

**POSITIVE GOVERNANCE:** Wayne Carlson of POOL/PACT appeared before the Commission and presented a power point presentation entitled "Positive Governance".

**DISPATCH:**

**Wayne Carlson Presentation/Discussion regarding current liabilities/Discuss establishment of new management position to manage Dispatch and/or Communications and/or IT departments. How would organization chart change depending upon approach; Oversight Group; Users Group to set specific protocols and process for protocol changes:**

Administrator Mendiola noted what had occurred with the creation of the Dispatch Center Users Group. Wayne Carson of POOL/PACT appeared before the Commission and discussed how policies drive practices and the importance, from the liability perspective, for procedures/methods to be constant no matter who is in charge, the importance of policy, leadership and training with the training being very important, that the use of a User's Group is a critical component as it reduces concerns about liability, why that is, including the need for communication and collaboration to make sure that protocol/procedures are met and the importance of the leadership role. Discussion ensued regarding the different management styles, Sheriff or director and the use of a user's group. Commissioner Bell questioned territorial issues as well as his concerns about having an elected official in charge given the lack of control over an elected official, as well as the lack of consistency when elected officials change; he spoke in support of hiring a director noting that if the users are not happy with how things are being handled the Commission could do something about it. Mr. Carlson spoke about those concerns. Commissioner Bell noted the amount the Commission spent to obtain this report and its recommendations, as well as the level of technology needed and the need to have an accredited dispatch center. Sheriff Mike Allen appeared before the Commission and noted concerns he had with the Abaris

report not addressing aspects of the dispatch center that are vital to law enforcement, he asked that the Dispatch Center remain under the control of the Sheriff so he may have the opportunity to learn the facts and be able, as he can, to work with the users group to implement the recommendations of the report; he noted concerns about the effect on morale if there is a change made and the cost of any change. Commissioner French questioned if the Sheriff would have any problems implementing any of the recommendations. Sheriff Allen responded that he believed they could implement most of them without issue but he did have concerns regarding some of the technology recommendations which included the language "as funding allows" and he questioned whether the funds would be available; he noted that Captain Rorex's goal is to get the center accredited but that will cost. Sheriff Allen offered one recommendation that was not included in the report and that would be to hire EMS specific dispatchers and house them in the dispatch facility. Commissioner French asked about cross training the current dispatchers to handle both. Sheriff Allen replied that they are but that is one of the areas creating controversy so that could be an option for addressing the problem; he noted his belief that the facility is a dispatch center as opposed to a PSAP and explained why, noting that he thinks what we have is good, it just needs to be expanded on. Discussion occurred regarding the cost of the addition of the EMS component and the possibility of financial contributions from the other entities. Louis Mendiola, Health Systems Development Manager with Humboldt General Hospital, appeared before the Commission and first addressed rumors in the community by stating that the Hospital has no agenda or intention of trying to take over control of dispatch; he continued discussing a past request from the County for the Hospital to pay for services, the agreement of the Hospital Board to do that but issues with not being involved in the process; he noted that they have been able to work with the new Sheriff and the other users but that their ability to make real changes for the long term is still questioned; he stated that they would like to have shared input and somewhat shared control and have the ability to develop the policies and procedures to make sure that whatever the leadership structure is, they have the ability, if they are going to be paying for services or subsidizing by cost sharing through other services that the hospital provides, to be involved; he noted that their primary focus is the health, welfare and public safety of the community and they believe that it is essential that the Commission makes a decision that is not just based on change but that equates to a healthier and safer Humboldt County. Commissioner French asked about the standards required for EMS dispatching. Mr. Mendiola explained what the programs used to meet those standards are and noted that they have been put in place but that the problem is that the protocol is not always being followed. Cami Durick, Central Control-Terminal Agency Coordinator, appeared before the Board and responded that the dispatchers are following the protocol and are using ProQA; she

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discussed how the process works. Mr. Mendiola explained the quality assurance audits that are done and what those audits have shown with some of the calls. Discussion occurred as to how the Sheriff's Office is notified of these issues including Captain Andy Rorex explaining what steps have been taken at dispatch since he assumed his position and what plans are for the future including the implementation of Standard Operating Practices, a Field Training Officer program and other items identified in the Abaris Report. Coordinator Durick commented on the separation of dispatch from central control and how that had benefitted the dispatchers. Discussion occurred regarding the importance of continued education for dispatchers. Commissioner Bell voiced his concern as to changes that could occur with a change in Sheriff in the future. Discussion occurred about the use of an oversight committee who would report to the Commission as well as a user's group.

**Mapping/GPS update/ Discuss cost and time frame to get Dispatch GPS mapping updated for more accurate dispatching/ (This was recommended as part of ABARIS report):** Provided to the Board for review was a copy of the proposal for GIS County/City street data collection and Road Department asset management software/data collection. Kristi Scheidt of the Drafting Department and Ric Grantham of the Communications Department appeared before the Board. Ms. Scheidt and Mr. Grantham discussed the program required for the mapping, the street center line data that would need to be collected, the involvement of the Road Department, Law Enforcement and the Hospital in the process, what had been recommended by the Abaris Report for Dispatch and the cost of the proposal. Discussion occurred regarding the costs, the possible use of grant funding, the ability to use the 911-surcharge funds and the ability to cost share with the users.

**Medical Director position and its relationship to potential liabilities:** Wayne Carlson discussed the duties of the medical director and why the position is important. Captain Rorex explained the benefits of having the medical director position. Commissioner Bell suggested that this is something that should be worked on with the Hospital and that it should happen sooner rather than later. Discussion occurred regarding the users group, the cost identified for the medical director position, what types of responsibilities and certifications the position would have and possible sources for the funding.

Administrator Mendiola summarized the discussion relative to dispatch including that program would continue forward with the Sheriff's Office, the creation of a users' group, the need to monitor the progress closely, to consider formation of an oversight group, to continue looking into the GPS/Mapping situation, as well as the medical director situation and determine a way to handle the costs; he asked if the Commission would like him to continue to look at a full time manager and what that would cost and whether it should be included in the budget. Commissioner Bell stated yes. Commissioner Cerri

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commented that he would be more comfortable moving forward with a mandatory oversight group that would report to the County Commission.

**PERSONNEL MANAGEMENT:**

**Discuss policy of allowing employees to call in to the office when they are experiencing health issues that do not allow them to report to work physically, but working remotely without having to use sick leave or annual leave:**

Administrative Assistant Brenda Willey appeared before the Commission. Ms. Willey noted that multiple policies govern leave including federal regulations like the Federal Standards Labor Act (FSLA), American with Disabilities Act (ADA), the Family Medical Leave Act (FMLA) and local policies such as the sick leave policy, the telecommuting policy and the exempt policy; she provided an overview of how the local policies are handled for the Commission including who decides leave issues, how they are decided, what is allowed, POOL/PACT's involvement and what are considered essential functions and what must be taken into consideration as to whether those functions can be performed including the ADA. Jeanne Greene of POOL/PACT appeared and noted that she had met with Administrator Mendiola and Commissioner French on this issue and discussed how to address it in the future, noting that a determination of an employee going on sick leave would be made by the department head, for a department head it would be the County Administrator and for the County Administrator it would be the Commission, that it would be determined by the health care provider whether the employee can perform their duties and that the County has everything in their policies regarding this issue.

*Chairman Amos recessed the meeting at 11:50 a.m. for the lunch break and reconvened at 12:15 p.m.*

**OVERVIEW OF NEVADA ASSOCIATION OF COUNTIES (NACO) AND NATIONAL ASSOCIATION OF COUNTIES (NACo) LEGISLATIVE FOCUS FOR 2015/Sage Grouse listing delay and potential new efforts to list/Wild Horse and Burro Act and BLM's plans/Water of the**

**USA (EPA Regulations changes):** Provided to the Board for review was a summary of NACO federal priorities including Payment in Lieu of Taxes (PILT), Greater Sage-Grouse, Wild Horses and Burros, Marketplace Fairness Act and public lands issues including land transfers and renewable energy development. The Commission discussed the sage grouse issue, the wild horse and burro action and the waters of the US proposal. Commissioner French reviewed certain bill draft requests for the Commission that would be of interest to the County (a copy of NACo's bills of interest to counties preliminary list was provided to the Board for review). Treasurer Gina Rackley appeared before the Board to discuss BDR 32-401 which related to the payment of property taxes by monthly installment and explained why the

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Treasurer's Association would be opposing the bill.

**WATER PLAN/Conditional Use permit control for water quality issues in Grass Valley/Assess every basin separately to understand how to manage each area/Compile guidelines for amendment to Master Plan/Water transfer issues:**

Commissioner Brissenden commented on the need for a County Water Plan and explained why it would be important for Humboldt County. Administrator Mendiola noted the need, if the Commission chooses to pursue a plan, to have a very detailed understanding of what is wanted such as an assessment of the water basins which has a cost, specific verbiage as to what can and can't be controlled with the notation that the State Water Engineer makes the final determination as to the issuance of permits but that the engineer will look at a county's plan especially if it is detailed as to what economic development is wanted and the need to use a consultant who would work with those involved at a local and regional level to determine what we know might be happening and what we would like to see happen and what the cost would be including the need to update the plan in the future. Commissioner French commented that Humboldt is one of the last counties that does not have a plan and that the State Engineer has said that every county should have one and he explained what should be included and why it is important; he noted the importance of addressing out of basin water transfers in the plan and how it would need to be dove tailed into the master plan. Commissioner Cerri asked if, in the meantime, a resolution or policy could be put in place opposing to out of basin transfers. Discussion occurred regarding out of basin transfers and what has occurred and what could be included in the policy to address the issue. Discussion occurred regarding water quality issues in Grass Valley including the average number of septic in the area compared to the statewide average, the options available instead of septic tanks including quasi-municipal water systems and what had been discussed at prior meetings related to this subject. Administrator Mendiola noted that he has obtained copies of a number of water plans so he could put together some guidelines and present those at an upcoming Commission meeting for consideration and further direction from the Commission. Commissioner Bell suggested that in the meantime the Commission could put together a policy that opposes out of basin water transfers. Former Administrator Bill Deist commented from the audience that the Commission had already done that, it has been a long standing policy. Commissioner Bell questioned if it should be reviewed and updated to make sure that it has the strongest language possible. Commissioner Cerri suggested that an annual resolution be adopted and provided to the State Water Engineer to make sure he is aware of the County's policy.

**M - 3 ZONING DESIGNATION IN HUMBOLDT COUNTY/Is this still a major priority for the Commission to address/Provide direction to Planning office and Regional Planning Commission (RPC)/What is the goal?**

Provided to the Commission for review was a memo from Betty Lawrence,

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Senior Planning Technician for the Planning Department, discussing the direction given to the RPC following the 2014 Retreat (see attached) and the need for further direction; she reviewed a map detailing the locations of the zoning. Commissioner French noted concerns he has about designations that are not included in the master plan and discussion ensued. Commissioner French suggested that the issue be sent back to the RPC for creation of a position paper identifying some of the concerns related to the issue. Former Administrator Deist commented that this issue had been driven by the large parcel map requests in the past and the issues with restricting those had to do with where are the population areas and how to deal with the parceling of property such as a ranch to family members. Mrs. Lawrence noted that there had been discussion in the past about re-zoning some of the BLM land to MAR. After discussion Commissioner French asked that the zoning of BLM lands to MAR be explored and that it be placed on the table and discussed and then brought back to the Commission with a recommendation. Administrator Mendiola observed that as it does not appear that there is a lot of urgency to this matter, it can be sent to the RPC and if they wish to make a statement related to the issue, they can get a hold of him and the item will be placed on the agenda.

LIBRARY ISSUES/CTX/Bookmobile update/Denio property: Present on behalf of the Library were Director Sheri Allen, Library/Bookmobile Specialist Ginny Dufurrena and Library Board Co-Chairpersons Susan Putnam and Mary Beene. Mrs. Beene addressed the Board and asked for an update on the status of the re-payment of the mining tax. Treasurer Rackley responded explaining that the current year's net proceeds offset the amount of that refund. Mrs. Beene continued commenting on the Library's good budget controls and savings over the years and the result of that being the transfer of their CTX income to the Road Department, she asked if that was a one-time transfer or if it would continue and whether it was legal since their fund is not part of the General Fund. Former Administrator Deist stated that yes it was noting that the Road Department is not in the General Fund either; he explained that due to the level of the Library Fund's ending fund balance the recommendation for the transfer had been made, that had also occurred with the Winnemucca Events Complex Fund because of their ending fund balance. Mrs. Beene continued explaining that the Library is updating their five year plan and that they need to know about the funding available as they are looking at computers, building upgrades, branch libraries updates and an upgrade in Denio so they would like to receive their funding back to cover the costs for these items. Mrs. Beene also commented on concerns with grants as they cannot supplement or replace any other type of funding and the hope that this funding transfer will not affect those grants. Discussion occurred regarding those grants. District Attorney Macdonald explained why the grants are not at risk. Treasurer Rackley explained that both property taxes and net proceeds go to the Library Fund but that

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CTX is at the discretion of the County Commission. Director Allen noted that they had not filled some positions that the Library needs. Treasurer Rackley reviewed the amount of CTX that was transferred to the Road Department Fund from the Library and the Events Complex Funds. Administrator Mendiola commented on the need to support the Road Department and the need to look at all budgets during the upcoming budget sessions. Mrs. Dufurrena updated the Board on the status of the new bookmobile and the funding for that purchase. Director Allen discussed the Library's usage statistics. Administrator Mendiola commented on technology needs. Former Administrator Deist informed the Commission about code issues relative to the Denio property and stated that the matter had been referred to Building & Safety who would report back to the Administrator.

**ROAD FUND:** Road Superintendent Ben Garrett appeared before the Commission.

**Why is this not fully funded through normal process annually/ Why do we transfer money into this account as needed through PILT and other funds/What do we do when PILT is no longer available:**

Discussion occurred regarding the use of gas taxes as dedicated funding for the Road Fund, that because of that dedicated funding the Road Fund cannot be part of the General Fund, that gas taxes are divided between federal, state, regional transportation commission and county, concerns about the declining income from that source, that the income from gas tax barely covers labor in the road department, that diesel taxes are not included as they go fully to the State, how those funds are used by the State, the use of PILT in the Road Fund, the inclusion of a million dollars in the prior year's budget for the purchase of equipment for the Road Department so that in future years when the budget is tight, the equipment does not need to be addressed and the status of the equipment. Administrator Mendiola commented on the manner of funding for this Fund and why it seems to be the best solution. Chairman Amos concurred.

**ONLINE TAX/Remittance and Collection/**

**Should we pursue more aggressive stance on this issue with companies and through the State**

**(NACO):** It was noted that this matter was previously discussed under legislative matters and that NACO supports this item.

**LEGISLATIVE PROCESS/REVIEW/2015:** Administrator Mendiola noted that once the Legislative session begins, updates will be provided during the County Commission meetings.

**CODIFICATION:**

**Update on where county is with respect to this process:** Commissioner Brissenden commented on the status of the codification and questioned whether everything is finished if the ordinances are not codified. District Attorney Macdonald explained that the fact that the newer ordinances are not codified does not diminish their legal affect. Former Administrator Deist commented on the process to put the code on line

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and stated that the information was with the District Attorney for review and that once his okay is received the codification company will proceed with putting it on line. Commissioner Brissenden commented on the need to get this process done, the sooner the better. Administrator Mendiola asked about the time line for completing the review. District Attorney Macdonald agreed with the benefit but noted that the project has not been his highest priority but it is being worked on as the goal is to get it completed.

**RECAP OF THE DAY'S ACTIVITIES:** Administrator Mendiola recapped the day's discussions as follows:

Budget - Continued concern about the downward trend with CTX/the difficulty of maintaining ending fund balances/the need to identify the priorities including the CSI report, the GPS/mapping program, the medical director for dispatch and the water plan

Personnel - That the policies are in place they just need to be followed

NACO - Continue to monitor and update on status

Dispatch - In a good place now, a user's group has been put in place which was a good starting point, that a Captain has been assigned to the department

Water plan - The Administrator will review some plans to assist in creating one that covers what the Commission wants included while keeping the costs down

MAR Zoning - wait to hear from the RPC

Library - need to continue to look at ending fund balance given that they have a list of what they want to do, perhaps spend the money to accomplish some of their highest priorities, that the Denio property will be discussed further at the February 2<sup>nd</sup> Commission meeting

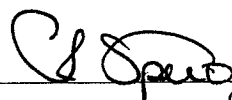
Roads - the funding related to roads was discussed

Codification - an update was given

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

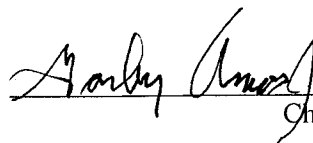
**ADJOURNMENT:** Chairman Amos adjourned the meeting at 2:04 p.m.

ATTESTED: \_\_\_\_\_



Clerk

APPROVED: \_\_\_\_\_



Chairman

(Minutes approved by the Commission and signed by the Chairman on 5/4/2015)

## MEMO

January 21, 2015

To: Humboldt County Commissioners

From: Betty Lawrence/Senior Planning Technician/BL  
Regional Planning Department

Re: M-3 Zoning

The M-3/MAR zoning was discussed at the 2014 Commissioner's retreat. The Commission direction was for the RPC to "change zoning between MAR and M-3 new zoning for area with population density". The RPC was provided information from the retreat at their 2/13/14 meeting. There has been no further discussion by the RPC regarding this item. Staff and the RPC would need direction from the Commission as to which of these undeveloped areas they would like to see property owners approached about a zone change; direction as to what the Commission considers "densely populated".

There are approximately 1,829 parcels with the M-3 zoning designation in Humboldt County. The majority of these parcels are undeveloped and managed by the BLM. There are areas with the M-3 zoning designation which are developed and used residentially, including but not limited to: Delaney/Lambert area off of Hwy 95; Golconda; Grass Valley/Rose Creek area; Green Saddle off of I-80; Denio.

There are 9 parcels which have the MAR zoning designation. The zoning was changed on these parcels from M-3 to MAR in 1984.

From 2011 to 2014 there were 9 Division Into Large Parcel Map applications submitted and approved. The filing of DILP maps has significantly slowed since 2010 (7 applications). DILP maps now contain verbiage regarding the requirement of a building permit to build on the property; this then requires a road which has been named and approved by the RPC. There has been concern for many years of people purchasing the larger parcels (40 + acres) with no access or services. The Code of the West has been updated and posted to the County website; there has been the addition of the verbiage regarding the requirement of a building permit which in turn requires legal access.