

Monday, April 20, 2015

The regular meeting of the Humboldt County Board of Commissioners was called to order on Monday, April 20, 2015, at 9:30 a.m. in the regular place of meeting at the Courthouse, 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.

**PUBLIC COMMENTS:** Chairman Amos asked for public comments. Ken Hladek stated his appreciation for the management of the Road Department by Road Superintendent Ben Garrett and stated his hope that the Commission is planning on finding an adequate replacement for when Superintendent Garrett retires.

**DISCUSSION & ACTION ON CORRECTION/APPROVAL OF MINUTES - JANUARY 5, 2015, JANUARY 20, 2015, FEBRUARY 2, 2015, FEBRUARY 17, 2015, MARCH 2, 2015, MARCH 16, 2015, APRIL 2, 2015 REGULAR MEETINGS & JANUARY 26, 2015, MARCH 26, 2015 & MARCH 30, 2015 SPECIAL MEETINGS:** Chairman Amos asked for corrections/additions for the minutes of January 5, 2015; none offered. The following motion was made by Commissioner Brissenden and passed unanimously:

*To approve the January 5, 2015 minutes as presented.*

No further minutes submitted for consideration.

**ADMINISTRATIVE REPORT:**

**CONSENT AGENDA:** Administrator Mendiola stated that he had nothing to present under the consent agenda.

**SOLID WASTE MATTERS:** Administrator Mendiola noted that a Landfill Committee meeting was scheduled for 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 Mendiola stated that he had nothing on this item.

**2015 LEGISLATIVE MATTERS: POSSIBLE FORMULATION OF COUNTY TESTIMONY/INPUT ON PROPOSED LEGISLATION, RESPONSE TO LEGISLATIVE COMMITTEE REQUESTS, NACO LEGISLATIVE REQUESTS FOR INFORMATION AND**

**RELATED MATTERS:** Commissioner French updated the Commission on the status of the following Legislative bills: AB289, AB348, AB479, SJR18, SJR15, AB10, AB80, SB43, SB30, SB482, SB29, AB426, SB487, AB320 and AB435. Discussion ensued regarding the bills that had died and those that

04/20/2015

Page 1 of 7

had passed and the effects on the County.

**ALLIED NEVADA GOLD CORP. ET AL BANKRUPTCY UPDATE:** County Treasurer Gina Rackley appeared before the Commission and informed them that Allied Nevada Gold Corporation had paid about one-half of the outstanding personal property taxes owed to the County.

**MISCELLANEOUS REPORTS AND CORRESPONDENCE:**

**OTHER INFORMATION AND UPCOMING MEETINGS:** Provided to the Commission for review was a letter from Humboldt General Hospital CEO/Administrator James G. Parrish related to inmate medical charges and a proposed plan to work with the County to reduce costs (see attached). Administrator Mendiola reviewed the discussion that had occurred with Mr. Parrish regarding this issue and offered his thanks for the Hospital's cooperation. Humboldt General Hospital representative Louis Mendiola appeared before the Commission and commented on the proposal. Commissioner French asked about the need to renew the agreement periodically. Mr. Mendiola stated that the plan was to monitor the program and review it in a year. Commissioner Cerri offered his thanks for Humboldt General Hospital's work on this issue.

Administrator Mendiola reported on a meeting he had with John Milton of Desert Mountain Surveying, Kent Maher, Ag District 3 Chairman, Doug Cain, Buildings & Grounds Director and Kim Petersen, WCVA Director related to letters received from the State Engineer regarding well permits located at the fairgrounds and the need to provide proof of beneficial use for each well and what changes will need to occur to accomplish that process; additionally he informed the Board that he will be placing an item on a future agenda regarding a permit for a well which has not been drilled at the landfill and the need to possibly pursue that. Discussion occurred regarding monitoring requirements.

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

**THEY SERVE ON:** Commissioner Brissenden reported on a Paradise Valley/Sonoma Conservation District meeting she had attended at which a grant proposal was discussed; she noted an upcoming Hospital Board Retreat that will occur in May. Commissioner French reported on a State Land Use Planning Advisory Council meeting he had attended.

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

*To approve the expenditures as presented by staff.*

**REQUEST BY WINNEMUCCA OFFICE OF THE BUREAU OF LAND MANAGEMENT FOR SUPPORT OF A PROCLAMATION CONCERNING THE UNR EXTENSION SERVICE NEVADA WILDFIRE AWARENESS MONTH PROGRAM:** A copy of the proposed resolution was

04/20/2015

Page 2 of 7

provided to the Commission for review. Derek Messmer of the Winnemucca District BLM Office appeared before the Commission and explained the purpose of and read the proclamation and spoke in support of the County Commission adopting the proclamation. After discussion the following motion was made by Commissioner Bell and passed unanimously:

*To adopt the resolution proclaiming May as Wildfire Awareness Month.*

*(Resolution No. 04-20-15)*

**REQUEST FROM THE HUMBOLDT COUNTY CHAMBER OF COMMERCE FOR A CONTRIBUTION OF \$6,500 FOR THE FISCAL YEAR 2015-2016:** Debbie Stone, Humboldt County Chamber of Commerce Director, appeared before the Commission. Mrs. Stone discussed the purpose of the Chamber of Commerce and observed that this agreement has been in place for a long time. Commissioner Cerri noted the County's budget concerns and explained that is why the Board is asking for further information related to funding requests. Mrs. Stone indicated the Chamber's need for these funds. The following motion was made by Commissioner French and passed unanimously:

*To accept the Humboldt County Chamber of Commerce's request for a \$6,500.00 contribution for fiscal year 2015-2016.*

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

**REQUEST BY BUILDINGS & GROUNDS TO APPROVE A 1995 GMC EXTENDED CAB VEHICLE AS SURPLUS AND MAKE AVAILABLE FOR NEXT AUCTION:** Superintendent Garrett explained that the Buildings & Grounds Department has a 1995 GMC Extended Cab vehicle that had been in an accident and the estimated cost of repair exceeds the value of the vehicle, as the vehicle has been replaced, the request would be to declare it surplus and place it in the next auction for sale. The following motion was made by Commissioner Brissenden and passed unanimously:

*To declare as surplus a 1995 GMC Extended Cab vehicle from Buildings and Grounds for the auction.*

**REQUEST TO PURCHASE NEW BACKHOE LOADER:** Provided to the Board for review was a memo from Superintendent Garrett reviewing the bids received from Cashman Equipment and Pape Machinery for a backhoe loader for use by the Road Department (see attached). Superintendent Garrett reviewed the bids submitted including the exceptions and buy back options and recommended the purchase of the 2015 John Deere 310SL HL Loader at a cost of \$101,725.00 from Pape Machinery. After review the following motion was made by Commissioner French and passed unanimously:

*To accept the request for purchase of a new backhoe from Pape Machinery for \$101,725.00 as recommended by the Road Superintendent.*

04/20/2015

Page 3 of 7

**REPORT OF PENDING ROAD DEPARTMENT PROJECTS:** Superintendent Garrett reported on the annual herbicide application, road grading, the preparation occurring for the mag chloride project, the status of the crack sealing, dust control on Cyanco Road and the submission for federal funding for Jungo Road work.

**MISCELLANEOUS ROAD RELATED MATTERS:** Superintendent Garrett reported on the recent equipment/vehicle auction which resulted in a total of \$31,782.97 being collected. Commissioner Cerri commented on the possibility of a request being received from the BLM as to the County taking on road maintenance duties for them.

**RECOMMENDATIONS FROM INSURANCE COMMITTEE AS TO BENEFIT PROGRAMS**

**FOR FISCAL YEAR 2015-2016:** Provided to the Commission for review was a memo detailing the changes recommended by the County Insurance Committee for the 2015-2016 benefits offering including a change in provider from Anthem to Prominence due to projected premium increases of 24% for Anthem as opposed to 3.93% with Prominence, a change from Anthem to Guardian for dental life plans, no changes to the current VSP plan for vision and the renewal of the annual membership with Care Flight for County employees, a copy of a comparison of plans/costs between Anthem and Prominence and a copy of the insurance plan selection sheet for the County. Administrator Mendiola reviewed the recommendations and reasons for those recommendations with the Board. Road Superintendent Ben Garrett, a member of the County Insurance Committee, appeared before the Commission and explained what the Committee had looked at and how they had reached their recommendations. After discussion the following motion was made by Commissioner Brissenden and passed unanimously:

*To approve the recommendation of the Insurance Committee for the benefit program with Prominence for fiscal year 2015-2016 as presented.*

Commissioner Brissenden asked about the bidding process for the broker that is coming up in 2016. District Attorney Macdonald stated that he would take a look at it.

**SENIOR CITIZENS OF HUMBOLDT COUNTY INC., PLEASANT SENIOR CENTER TO REQUEST A DRAW-DOWN OF THE REMAINING BUDGETED FUNDS (\$3,750) HELD AS MATCH FUNDING FOR THE COUNTY TRANSIT PROGRAM TO COVER PROGRAM SERVICE EXPENSES FOR THE 4<sup>TH</sup> QUARTER OF THE FISCAL PERIOD (APRIL 1, 2015 -**

**JUNE 30, 2015):** Administrator Mendiola explained that this had occurred previously for the January through March draw down and that the funds are available. The following motion was made by Commissioner Brissenden and passed unanimously:

*To approve the Senior Citizens of Humboldt County Pleasant Senior Center request for a*

04/20/2015

Page 4 of 7

*draw-down for the remaining budgeted funds of \$3,750.00 as match funding for the County Transit Program to cover the fourth quarter fiscal period April 1, 2015 through June 30, 2015.*

**REQUEST BY HUMBOLDT COUNTY SHERIFF'S OFFICE TO PROVIDE AN UPDATE REGARDING THE MEMBERS OF THE LOCAL EMERGENCY PLANNING COMMITTEE (LEPC) AND TO ASK THAT THE COMMISSION APPROVE THE MEMBERSHIP:**

Sheriff Mike Allen appeared before the Commission and reviewed the current membership of the Local Emergency Planning Commission noting those members that have left and the need to fill those positions; he offered the following recommendations for appointment: Sheriff Mike Allen and City Councilman Mike Owens representing Local Elected Officials, Winnemucca Police Chief Eric Silva and Greg Johnson of the Nevada Highway Patrol representing Law Enforcement, Holly James representing Broadcast/Print Media and Bill Swindle as an additional member. Discussion ensued regarding the voting membership and the LEPC by-laws. After discussion the following motion was made by Commissioner Bell and passed unanimously:

*To approve the update regarding the members of the Local Emergency Planning Committee.*

**REQUEST BY NEVADA DIVISION OF CHILD AND FAMILY SERVICES (DCFS) FOR SUPPORT OF A PROCLAMATION DECLARING MAY 16, 2015 FOSTER CARE APPRECIATION DAY IN HUMBOLDT COUNTY, NEVADA. MAY IS NATIONAL FOSTER CARE AWARENESS/ APPRECIATION MONTH:**

A copy of the proposed resolution was provided to the Commission for review. Commissioner Brissenden read the proposed resolution. The following motion was made by Commissioner Cerri and passed unanimously:

*That the Commission support the proclamation declaring May 16, 2015 Foster Care Appreciation Day in Humboldt County.*

*(Resolution No. 04-20-15a)*

**REQUEST BY HUMBOLDT COUNTY ADMINISTRATOR FOR AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH MICHAEL PAVLAKIS, ESQ. AND THE FIRM OF ALLISON MACKENZIE, LTD. TO ASSIST AND REPRESENT THE INTERESTS OF HUMBOLDT COUNTY IN LABOR RELATION ISSUES:**

A copy of the proposed retainer agreement between Humboldt County and Michael Pavlakis of Allison Mackenzie Ltd. was provided to the Board for review. Administrator Mendiola explained that the County has several personnel issues that may be lengthy and involved and so the request is to be able to enter an agreement

04/20/2015

Page 5 of 7

with Mr. Pavlakis and Allison MacKenzie to have their expertise in labor law available. Commissioner French asked if there is an amount indicated as a cap. Administrator Mendiola stated that there was no cap included, just the hourly billing as set forth in the agreement but his hope would be that the current issues would be dealt with in a couple of weeks which will keep the costs down. District Attorney Macdonald noted that typically these type of matters are billed monthly so as the issues progress Administrator Mendiola can give updates and it will also be included in the expenditure reports. Commissioner Cerri asked if this is something that the District Attorney's Office could handle. District Attorney Macdonald responded that he and the Administrator have discussed some of the issues and discussion has occurred with POOL/PACT but both he and POOL/PACT believe it would be in the best interest of the County to consult with someone that specializes in labor law and obtain their input so the best interests of the County are represented. Commissioner Cerri asked about POOL/PACT handling these issues. Administrator Mendiola explained that POOL/PACT will only go so far and at that point they will no longer offer any further advice. Commissioner French asked if this would be an open ended agreement. Administrator Mendiola stated that he is only interested in the current issues but technically it could be used down the road. Commissioner Bell asked if this had to do with negotiations. District Attorney Macdonald stated that it did not have anything to do with negotiations. Commissioner Cerri asked about having an end date included in the agreement. District Attorney Macdonald stated that a request could be made to revise the agreement to include an end date. Commissioner Bell suggested no more than a year. Administrator Mendiola suggested that it be revised to put the end date as the last day of this fiscal year to keep it in line with the budget. District Attorney Macdonald agreed noting that if additional assistance is required a new agreement could be done. The Board concurred. Commissioner Bell asked about a cap. District Attorney Macdonald noted his concerns with a cap related to the inability to forecast the cost of certain services but he did recommend the idea of putting a termination date in the agreement; he continued suggesting that while he did not recommend a cap be placed in the retainer agreement, the Commission could provide direction that no more than a certain amount can be spent without bringing it back before the Board for authorization. The Board concurred with that recommendation. Discussion ensued regarding the time frame for the end date and the amount that would require the matter to be brought back before the Commission for authorization. After discussion the following motion was made by Commissioner French and passed unanimously:

*To approve the request on the part of the County Administrator for authorization to enter into a professional services contract with Michael Pavlakis from the law firm of Allison MacKenzie to assist with representing the interests of Humboldt County in labor*

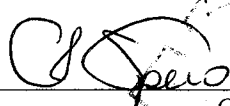
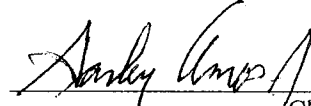
*relations issues, further the direction to the Administrator is to bring this issue back before this Board if the contract exceeds \$10,000.00.*

Discussion occurred regarding the end date requirement. The following amended motion was made by Commissioner French and passed unanimously:

*To approve the request on the part of the County Administrator for authorization to enter into a professional services contract with Michael Pavlakis from the law firm of Allison MacKenzie to assist with representing the interests of Humboldt County in labor relations issues, further the direction to the Administrator is to bring this issue back before this Board if the contract exceeds \$10,000.00 and that the contract extends for a period of one year.*

**PUBLIC COMMENTS:** Chairman Amos asked for public comments. Commissioner Cerri commented on the need for the Commission to go back and revisit the budget and asked if a report could be provided on the CTX revenues. Commissioner Bell asked if discussion could also occur regarding Commissioner French's prior request for departments to present a 10% reduction in costs. District Attorney Macdonald suggested that what the Administrator is envisioning is another budget workshop which would occur prior to the May 18<sup>th</sup> final budget approval probably at the next Commission meeting. Discussion occurred regarding the format of the workshop as well as the need to see a comparison of actual revenues/expenditures to projected revenues/expenditures. Chairman Amos asked for additional public comment. None offered.

**ADJOURNMENT:** Chairman Amos adjourned the meeting at 11:43 a.m.

ATTESTED:  Clerk APPROVED:  Chairman

(Minutes approved by the Commission and signed by the Chairman on 6-3-2015)

March 3, 2015

Dave Mendiola  
Humboldt County Administrator  
Courthouse, Room 205  
50 W. Fifth Street  
Winnemucca, Nevada 89445

RECEIVED  
MAR - 9 2015

Administrator / Commissioners

RE: Inmate Hospital Charges

Dear Dave:

Thank you for discussing County Detention Center inmate hospital charges with me. It is good to know that the billing issues have been minimal over the past several years. This letter summarizes our discussion involving charges for hospital services.

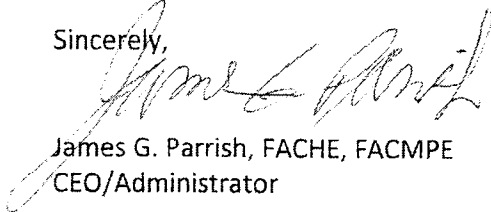
Hospital charges are determined based upon several factors, with the goal of keeping the charges reasonable while staying competitive and profitable. The Medicaid program reimburses for many types of procedures, but the reimbursement rates are capped, often at rates substantially lower than the typical rates. For example, charges for individual tests are capped by Medicaid at \$1,429. The hospital has for several years charged the county at the Medicaid cap rate for procedures which are normally billed at a higher rate. Therefore, an MRI which is normally charged at \$3,000 has historically been billed to and paid by Humboldt County at the rate of \$1,429. Charges which are less than the Medicaid cap rate have been paid by the county at the full charged amount.

The Medicaid cap rate on high dollar tests will remain in effect for charges to the county. Tests or procedures under the cap rate amount will be charged at standard rates, and the hospital will allow a 50% discount of the payment for those services. As an example, a \$100 test will be billed to the county at the full rate; however, the county will pay only \$50 after taking the 50% discount. The discount will not apply to the costs for tests that are capped by Medicaid.

The adjusted billing will begin at the start of the next fiscal year, i.e., July 1, 2015. It is anticipated the cash cost (loss) to HGH will be about \$15,000 to \$20,000 per year. The county and the hospital should plan on monitoring the program on at least a quarterly basis and, if necessary, make adjustments.

Again, thank you for your time and attention to this matter. If you have any questions or comments, please do not hesitate to contact me.

Sincerely,

  
James G. Parrish, FACHE, FACMPE  
CEO/Administrator

Cc: Mel Hummel, Board Chairman  
Ron Cerri, Humboldt County Commissioner

**HGH**



To: Humboldt County Board of Commissioners  
 From: Ben Garrett, Roads Superintendent  
 Date: April 13, 2015  
 Subject: Backhoe Loader Bid

In the 2014-2015 annual budgets, the Humboldt County Board of Commissioners authorized the purchase of a new Backhoe Loader to replace a 1994 John Deere Backhoe Loader. Humboldt County solicited bids for a new Backhoe Loader for use by the Road Department. The bids closed on April 9, 2015. The bid process complied with NRS 332.

The County had two vendors respond, Cashman Equipment and Pape Machinery.

Bid Summary:

Pape Machinery  
 1255 Spice Island Dr.  
 Sparks, Nevada  
 2015 John Deere 310SL HL

Exceptions:

- 1) Power Shift synchromesh transmission (exceeds specifications).
- 2) Key start and stop; John Deere is equipped with Keyless start codes with anti-theft system.
- 3) Minimum Backhoe dig depth 18' 1"; specified 19' 6".

**\$101,725.00** with a guaranteed buy back in 5 years 2,500 hour maximum for \$71,000.00 and a 1 year warranty on entire machine and a 3 year warranty on the powertrain and hydraulic system. Delivery date 60-90 days.

Pape Machinery  
 1255 Spice Island Dr.  
 Sparks, Nevada  
 2015 John Deere 410L

Exceptions:

- 4) Power Shift synchromesh transmission (exceeds specifications).
- 5) Key start and stop; John Deere is equipped with Keyless start codes with anti-theft system.
- 6) Loader bucket lift capacity 7,149 lbs.; specified 7,300 lbs.

**\$114,515.00** with a guaranteed buy back in 5 years 2,500 hour maximum for \$80,000.00 and a 1 year warranty on entire machine and a 3 year warranty on the powertrain and hydraulic system. Delivery date 60-90 days.

Cashman Equipment

3050 Railroad St.

Winnemucca, Nevada

2015 Caterpillar 430 F ST

Exceptions:

- 1) Batteries (2) 880 CCA per battery; 1,900 CCAs specified.
- 2) Loader bucket Quick Coupler specified; add \$8,789.50.
- 3) Specified 12", 24" and 36" backhoe buckets; add \$1,418.00 and \$2,194.00 for 12" and 36" backhoe buckets respectively.
- 4) Options: 4-n-1 Loader Bucket Specified ; add \$4,815.67.
- 5) Backhoe quick coupler listed in options; included in the base price.

**\$120,163.30**; with a guaranteed buy back in 3 years 900 hours maximum for \$85,000.00 or 5 years 1,500 hour maximum for \$65,000.00 and a 1 year warranty on entire machine and a 3 year warranty on the powertrain and hydraulic system. Delivery date 14 days.

None of the exceptions on the machines from either vendor are significant to the performance.

I recommend the purchase of the 2015 John Deere 310SL HL Loader at a cost of **\$101,725.00**.