

Monday, November 16, 2015

The regular meeting of the Humboldt County Board of Commissioners was called to order on Monday, November 16, 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 (who exited the meeting following agenda item 10), Mike Bell, Jim French and Ron Cerri, Deputy District Attorney Gabrielle Carr, Administrator Dave Mendiola and Clerk of the Board Tami Rae Spero.

PUBLIC COMMENTS: Chairman Amos asked for public comments. Charles Stempeck appeared before the Commission and asked about the status of the appraisals of county property including the parcel in Paradise Valley that he is looking to obtain. Administrator Mendiola reviewed the status of the process to obtain appraisals. Discussion ensued regarding the ability to move forward on some of the properties immediately and others later. Deputy District Attorney Carr informed the Commission that as this item was not on the agenda so the Board could not take any action but that the Administrator and the District Attorney's Office can look into the matter. Administrator Mendiola agreed. No further public comment offered.

DISCUSSION & ACTION ON CORRECTION/APPROVAL OF MINUTES - SEPTEMBER 8, 2015, SEPTEMBER 21, 2015, OCTOBER 5, 2015, OCTOBER 19, 2015, NOVEMBER 2, 2015

REGULAR MEETINGS AND OCTOBER 15, 2015 SPECIAL MEETING: Chairman Amos asked for corrections/additions for the minutes of September 8, 2015; none offered. The following motion was made by Commissioner Brissenden and passed unanimously:

To approve September 8th minutes as presented.

No further minutes presented for consideration.

ADMINISTRATIVE REPORT:

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

1. **Tax Roll Adjustment:** A Real Roll Adjustment Form for George & Jacqueline Miller was submitted to the Board for consideration. *Recommendation: Approval based on recommendation by the Assessor and Treasurer.*

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

To approve the consent agenda as presented.

SOLID WASTE MATTERS RELATED TO THE HUMBOLDT COUNTY LANDFILL INCLUDING BUT NOT LIMITED TO MONTHLY WASTE REPORTS, LANDFILL LIFE AND

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FUTURE PLANS: Administrator Mendiola stated that he had nothing to present for this item.

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.

UPDATE REGARDING CODIFICATION OF HUMBOLDT COUNTY CODES FOR ONLINE

ACCESS BY PUBLIC: Deputy District Attorney Carr reported on the status of the codification project for the Board.

UPDATE ON LITIGATION IN FEDERAL COURT INITIATED BY WESTERN EXPLORATION, LLC, ELKO COUNTY, NEVADA, EUREKA COUNTY, NEVADA AND QUANTUM MINERALS, LLC FOR DECLARATORY AND INJUNCTIVE RELIEF TO BAR THE FEDERAL AGENCIES FROM IMPLEMENTING THE NORTHEAST CALIFORNIA/NEVADA SAGE GROUSE LAND PLANNING AMENDMENT (LUPA):

Commissioner French reported that he would be attending a hearing in Federal Court tomorrow as well as attending a meeting with legal counsel with the four initial complainants to determine the County's involvement. Deputy District Attorney Carr noted that the District Attorney would also be attending.

MISCELLANEOUS REPORTS AND CORRESPONDENCE:

OTHER INFORMATION AND UPCOMING MEETINGS: Chairman Amos reviewed upcoming meeting dates.

REPORTS FROM COMMISSIONERS REGARDING OTHER BOARDS AND COMMITTEES

THEY SERVE ON: Commissioner Brissenden reported on a Nevada Division of Environmental Protection meeting she had attended related to water quality and noted an upcoming water workshop. No further reports offered.

APPROVAL OF EXPENDITURES: A report identifying the expenditures being considered was provided to the Commission for review. The following motion was made by Commissioner Brissenden and passed unanimously:

To approve expenditures as presented.

SET TO PUBLIC HEARING: A NUISANCE COMPLAINT FILED AGAINST PROPERTY LOCATED AT 7595 W. ROSE CREEK ROAD, ASSESSOR'S PARCEL NO. 3537-17-176-006

AND OWNED BY CHRIS G. AND ALONA R. JACOBSEN: A copy of the nuisance complaint filed by Don Acton and other area residents and copies of the investigative reports submitted by the Humboldt County Sheriff's Office and Building Official were provided to the Commission for review. Chairman Amos read the title of the item to be set to public hearing. The following motion was made by

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Commissioner Brissenden and passed unanimously:

To set a public hearing for the nuisance complaint for 7595 West Rose Creek Road.

EMPLOYEE OF THE MONTH PRESENTATION FOR OCTOBER 2015: Administrator Mendiola read the nomination form and announced that the employee of the month for October 2015 was Kathy Brumm of the District Court. Mrs. Brumm was presented a plaque by Chairman Amos.

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

REPORT OF PENDING ROAD DEPARTMENT PROJECTS: Superintendent Garrett reported on road grading including work being done on Jungo Road to assist Hycroft with their portion, wash out repair on several roads in the County, annual maintenance on certain roads that are maintained on an annual basis, a meeting which had occurred with Hycroft related to the road agreement, that the road department employees had switched to five day eight hour shifts, that he had received 2 letters notifying of retirement and that he expected up to 7 within the year and cattle guard maintenance.

ASSESSOR: Assessor Jeff Johnson appeared before the Commission.

CONSIDERATION OF AND POSSIBLE ADOPTION OF A RESOLUTION TO REQUIRE THE HUMBOLDT COUNTY ASSESSOR TO PREPARE A LIST OF ALL TAXPAYERS ON THE SECURED TAX ROLL IN THE COUNTY AND THE TOTAL VALUATION OF PROPERTY ON WHICH THEY MAY SEVERALLY PAY TAXES AND DIRECT THE ASSESSOR TO PUBLISH SUCH LIST AND VALUATIONS ONCE ON OR BEFORE JANUARY 1, 2016 IN THE HUMBOLDT SUN AND POST THE INFORMATION IN VARIOUS LOCATIONS THROUGHOUT THE COUNTY:

A copy of the proposed resolution was provided to the Board for review. Assessor Johnson spoke in support of the request and explained the changes that had occurred to this duty during the 2015 Legislative session and the options available; he noted his preference related to publishing ads explaining what the Assessor's Office does and how to obtain the tax roll listing. After discussion the following motion was made by Commissioner Bell:

To adopt the resolution for the Assessor's Tax Roll to publish the list as described in the resolution.

Deputy District Attorney Carr suggested adding language to the motion to specify the resolution consistent with the four page ad publication requirement as recommended by staff; she noted that the resolution presented indicated the previous manner in which the process was handled and not the new language allowed under the law change. The following amended motion was made by Commissioner Bell and passed unanimously:

To adopt the resolution for the Assessor's Tax Roll to publish as modified and

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recommended by staff.

(Resolution No. 11-16-15)

DISCUSSION OF CORRECTIONS TO REAL PROPERTY TAX BILLS FOR NEWMONT MINING CORPORATION FOR THE CURRENT TAX YEAR 2015-2016: Provided to the Commission for review was a copy of a letter from the Assessor explaining the issue that occurred with Newmont Mining Corporation's real property roll billing and a copy of a breakout of the additional taxes that will be owed by Newmont on APN 3943-19-100-001 and APN 3442-11-100-001 for tax years 2013-2014, 2014-2015 and 2015-2016 for a grand total of \$2,770,209.49 (see attached). Assessor Johnson addressed the Commission and explained that this error had been brought forward by the taxpayer, Newmont; he stated his appreciation for them doing so. Assessor Johnson continued explaining the data entry error that had created the issue and the steps that were being implemented to prevent it from occurring in the future; he noted that statute required the Commission to direct the County Treasurer to send new tax bills to the taxpayer. Discussion occurred regarding the potential for this issue to effect other tax bills and the research being done to determine that and the Commission's appreciation of Newmont's actions related to this matter. Discussion occurred regarding the form of the motion that was needed. Deputy District Attorney Carr observed that the agenda item only identified discussion and not action so her recommendation would be to place the action item on the next agenda. The Board concurred.

LIBRARY: INTRODUCTION OF CYNTHIA O AS THE NEW LIBRARY DIRECTOR: Susan Putnam, Co-Chairman of the Library Board introduced Cynthia O the new Library Director to the Board. The Commission welcomed Ms. O to the community.

SHERIFF: TO CONVENE THE HUMBOLDT COUNTY LIQUOR BOARD FOR CONSIDERATION OF THE QUARTERLY LIQUOR LICENSE RENEWALS: Sheriff Mike Allen called the Liquor Board to order at 10:25 a.m. A list of the FY 2015-2016 1st Quarter Liquor License renewals was provided to the Commission for review (see attached). Sheriff Allen reviewed the thirteen renewals for the Board and recommended approval. The following motion was made by Commissioner Amos, was seconded and passed unanimously:

To approve the license renewals as presented.

With nothing further to come before the Humboldt County Liquor Board, Sheriff Allen adjourned the meeting at 10:27 a.m.

COMPTROLLER: Comptroller Sondra Schmidt appeared before the Commission.

CONSIDERATION OF AND POSSIBLE APPROVAL OF A REQUEST TO TRANSFER FUNDS

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FROM THE LIBRARY MEMORIAL FUND TO THE LIBRARY FUND FOR THE PURCHASE OF THE BOOKMOBILE IN THE AMOUNT OF \$27,520: Comptroller Schmidt reviewed the request for the Commission noting that statute allows for this transfer. After discussion the following motion was made by Commissioner Brissenden and passed unanimously:

To approve the request to transfer funds from the Library Memorial Fund to the Library Fund for the purchase of the bookmobile in the amount of \$27,520.00.

CONSIDERATION OF AND POSSIBLE APPROVAL OF A REQUEST TO TRANSFER \$110,000 FROM THE 911 ENHANCEMENT FUND TO CAPITAL PROJECTS TO COVER THE COST OF A GIS DATABASE UPDATE CONTRACT WITH THE SIDEWELL COMPANY: It was noted that this project was approved as part of the 2015-2016 budget process in the amount of \$200,000 (\$110,000 from 911 Fund and \$90,000 from Capital Projects) and is expected to improve the county's 911 response and mapping capabilities. Comptroller Schmidt reviewed the request for the Commission. After discussion the following motion was made by Commissioner Brissenden and passed unanimously:

To approve the request to transfer \$110,000.00 from the 911 Enhancement Fund to Capital Projects to cover the cost of a GIS Database update contract with the Sidewell Company.

CONSIDERATION OF AND POSSIBLE APPROVAL OF A REQUEST BY THE NEVADA ASSOCIATION OF COUNTIES (NACO) TO COMMENT ON THE PROPOSED WITHDRAWAL APPLICATION ("NOTICE OF PROPOSED WITHDRAWAL; SAGEBRUSH FOCAL AREAS; IDAHO, MONTANA, NEVADA, OREGON, UTAH AND WYOMING AND NOTICE OF INTENT TO PREPARE AN ENVIRONMENTAL IMPACT STATEMENT") BY THE BLM POSTED ON SEPTEMBER 24, 2015: It was noted that this notice temporarily segregates the withdrawal lands for up to two years while the application is processed and that comments are due by December 23, 2015. Commissioner French explained this request and stated his support for NACO's request for comments; he requested that the Commission allow him to draft additional comments on behalf of the County to submit. Commissioner Cerri asked if the County would be drafting their own comments or just signing on NACO's comments. Commissioner French explained that his intent would be to create comments to include with NACO's. Administrator Mendiola commented on a conference call between Washoe, Elko and Humboldt at which this matter would be discussed. Commissioner Cerri asked if the Commission would have an opportunity to review the comments before they were submitted. Commissioner French confirmed that the Commission would and discussed his plan and time line. Chairman Amos asked if this matter required action at this time. Commissioner French stated no, that

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this item was informational only. Deputy District Attorney Carr noted the need to re-agendize the approval of the comments. The Board concurred.

(Commissioner Brissenden exited the meeting at 10:42 a.m.)

CONSIDERATION OF AND POSSIBLE APPROVAL OF PROCLAMATION FROM GENESIS HOME HEALTH HOSPICE, INC. THE NATIONAL ASSOCIATION FOR HOME CARE & HOSPICE AND THOUSANDS OF HOME CARE AGENCIES ACROSS THE UNITED STATES TO DECLARE THE MONTH OF NOVEMBER 2015 AS "NATIONAL HOME CARE MONTH" IN HUMBOLDT COUNTY:

A copy of the proposed resolution was provided to the Commission for review. The following motion was made by Commissioner Bell and passed with Chairman Amos and Commissioners Bell, French and Cerri voting aye and Commissioner Brissenden being absent:

To approve the request for a proclamation from Genesis Home Health Hospice to declare the month of November 2015 as National Home Care Month in Humboldt County.

(Resolution No. 11-16-15a)

Administrator Mendiola read the resolution as adopted.

BUILDINGS & GROUNDS: Enoc Gaitan, Building & Grounds Director appeared before the Commission.

CONSIDERATION AND POSSIBLE APPROVAL OF A REQUEST TO FINAL INTERVIEWS AND HIRE A MAINTENANCE ENGINEER POSITION VACATED ON AUGUST 3, 2015:

It was noted that this request comes following the Board's approval of the modified Attrition Policy allowing the department to advertise for the position approximately 120-days ago. Director Gaitan spoke in support of the request detailing the duties of the department and the difficulties of covering those duties without this position. After discussion the following motion was made by Commissioner French and passed with Chairman Amos and Commissioners Bell, French and Cerri voting aye and Commissioner Brissenden being absent:

To grant the request from Buildings and Grounds for final interviews and to hire a maintenance engineer position vacated on August 3rd.

Administrator Mendiola commented on the quality of the work that Director Gaitan has done since becoming director of the department.

CONSIDERATION OF AND POSSIBLE APPROVAL OF A GRANT REQUEST FOR THE 2016 DRUG FREE GRADUATION PARTY FOR LOWRY HIGH SCHOOL:

It was noted that the Drug Free Graduation Committee is requesting a cash donation in the amount of \$2,500.00 and a grant in the

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amount of \$800.00 to cover the cost of the Exhibit Hall where the party is held. Tanya Grady, Chairperson of the Drug Free Graduation Committee appeared before the Commission and spoke in support of the request. After discussion the following motion was made by Commissioner Bell and passed with Chairman Amos and Commissioners Bell, French and Cerri voting aye and Commissioner Brissenden being absent:

To grant the request of a cash donation of \$2,500.00 and a grant not to exceed \$800.00 to cover the cost of the Exhibit Hall.

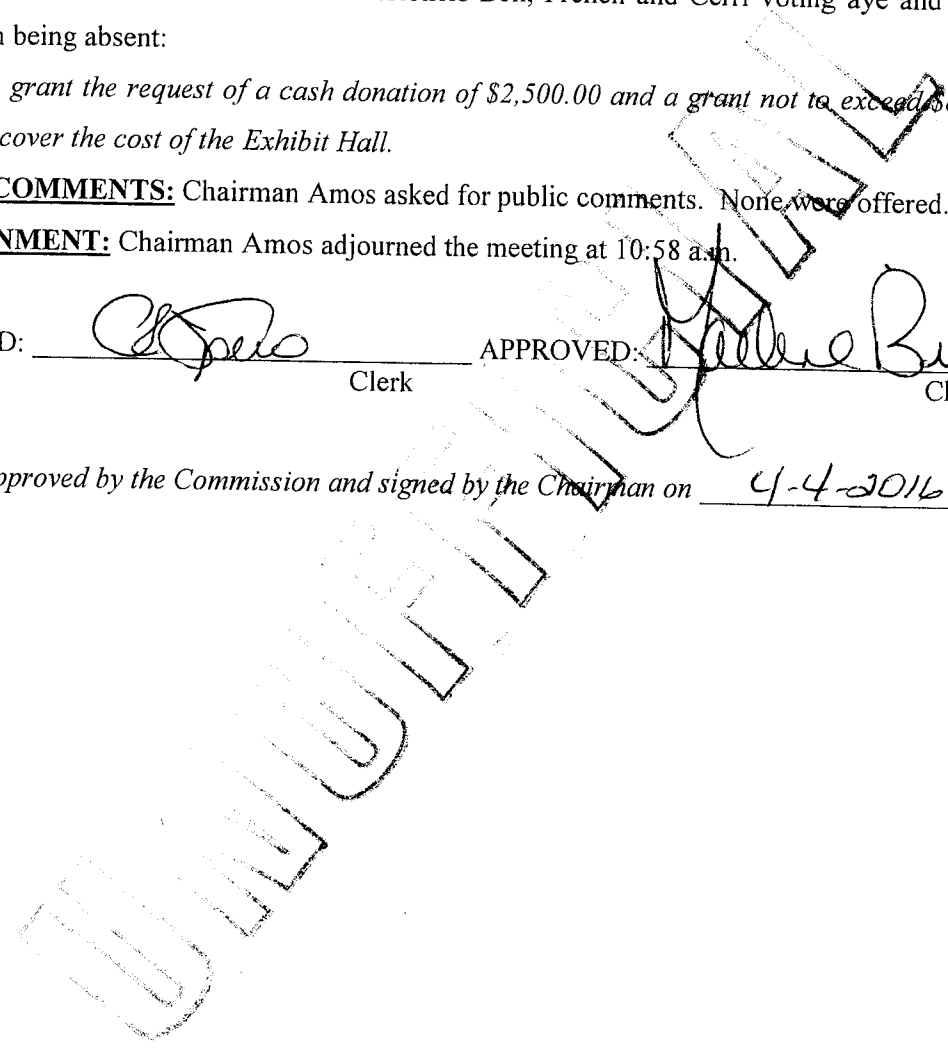
PUBLIC COMMENTS: Chairman Amos asked for public comments. None were offered.

ADJOURNMENT: Chairman Amos adjourned the meeting at 10:58 a.m.

ATTESTED: 
Clerk

APPROVED: 
Chairman

(Minutes approved by the Commission and signed by the Chairman on 4-4-2016)



Notice of Public Meeting
HUMBOLDT COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
Monday, November 16, 2015
9:30 a.m.

Humboldt County Courthouse Meeting Room #201
50 West Fifth Street, Winnemucca, NV 89445

All times on this agenda are approximate.
Consideration of items may require more or less time than is scheduled. Items on the agenda may be taken out of order; the public body may combine two or more agenda items for consideration; and the public body may remove an item from the agenda or delay discussion relating to an item on the agenda at any time.
Public comment is designated for discussion only. The public has the opportunity to address the Commission on any matter not appearing on the agenda; however, no action may be taken on a matter raised until the matter itself has been specifically included on the agenda as an item upon which action may be taken. Additionally, public comment may be heard on any item listed on the Agenda. Persons are invited to submit comments in writing and/or attend and make comments on any agenda item at the Commission meeting. All public comment may be limited to three (3) minutes per person, at the discretion of the Commission.

Agenda – Monday, November 16, 2015

- 1. 9:30 a.m.
 - A. Call to Order
 - B. Pledge of Allegiance
 - C. Public Comments: General public comment is designated for discussion only. The public has the opportunity to address the Commission on any matter not appearing on this agenda; however, no action may be taken on a matter raised until the matter itself has been specifically included on the agenda as an item upon which action may be taken.
 - D. Discussion and Action on Correction/Approval of Minutes: September 8, 2015 and September 21, 2015; October 5, 2015; October 19, 2015; 11 2, 2015 Regular Meetings and October 15, 2015 Special Meeting.

- 2. 9:35 a.m. Administrative Report - Discussion and for Possible Action
 - A. Consent Agenda
 - 1) Tax Roll Adjustment
 - B. Solid Waste Matters related to the Humboldt County Landfill including but not limited to monthly waste reports, landfill life and future plans.
 - C. Public Lands Planning Matters & Formulation of County Position on BLM, Forest Service, and the Federal Fish and Wildlife Service Proposed Actions
 - D. Update regarding codification of Humboldt County codes for online access by
 - E. Update on litigation in Federal Court initiated by Western Exploration, LLC, Elko County, Nevada, Eureka County, Nevada and Quantum Minerals, LLC, for declaratory and injunctive relief to bar the Federal Agencies from implementing the Northeast California/Nevada Sage Grouse Land Planning Amendment (LUPA).
 - F. Miscellaneous Reports and Correspondence
 - 1) Other information and upcoming meetings
 - December 7, 2015 County Commission
 - December 10, 2015 Regional Planning Commission

- 2) Reports from Commissioners regarding other Boards and Committees on which they serve, including Nevada Association of Counties (NACO), Humboldt River Basin Water Authority (HRBWA), Western Interstate Region (WIR), Legislative Interim Land Council, Humboldt Development Authority (HDA), Winnemucca Visitors & Convention Authority (WCVA), Hospital Board, Humboldt Foundation, Western Nevada Development District (WNDD), and Humboldt County Elk Planning Steering Committee, and the State Land Use Planning Advisory Council (SLUPAC).
- G. Approval of Expenditures
3. 9:50 a.m. Set to Public Hearing: A Nuisance Complaint filed against property located at 7595 W. Rose Creek Road, Assessor's Parcel No. 3537-17-176-006 and owned by Chris G. and Alona R. Jacobsen.
4. 9:55 a.m. Employee of the Month Presentation for October 2015.
5. 10:00 a.m. Road Matters: Discussion and for Possible Action
- A) Report of Pending Road Department Projects, including maintenance details of grading, chip seal, cattle guards, bridges and culverts, as well as any new road projects.
6. 10:10 a.m. Assessor - Discussion and for Possible Action
- A) Consideration of and possible adoption of a Resolution to require the Humboldt County Assessor to prepare a list of all taxpayers on the secured tax roll in the county and the total valuation of property on which they severally pay taxes and direct the Assessor to publish such list and valuations once on or before January 1, 2016 in the Humboldt Sun and post the information in various locations throughout the county.
- B) Discussion of corrections to real property tax bills for Newmont Mining Corporation for the current tax year 2015-2016.
7. 10:15 a.m. Library: Introduction of Cynthia O. as the new Library Director – Information Only
8. 10:25 a.m. Sheriff: To convene the Humboldt County Liquor Board for consideration of Quarterly Liquor License renewals - Discussion and for Possible Action.
9. 10:30 a.m. Comptroller - Discussion and for Possible Action.
- A) Consideration of and possible approval of a request to transfer funds from the Library Memorial Fund to the Library Fund for the purchase of the Bookmobile in the amount of \$27,520.
- B) Consideration of and possible approval of a request to transfer \$110,000 from the 911 Enhancement Fund to Capital Projects to cover the cost of a GIS database update contract with the Sidwell Company. This project was approved as part of the 2015-2016 budget process in the amount of \$200,000 (\$110,000 from 911 Fund and \$90,000 from Capital Projects) and is expected to improve our 911 response and mapping capabilities.
10. 10:35 a.m. Consideration of and possible approval of a request by the Nevada Association of Counties (NACO) to comment on the proposed withdrawal application ("Notice of Proposed Withdrawal; Sagebrush Focal Areas; Idaho, Montana, Nevada, Oregon, Utah, and Wyoming and Notice of Intent to prepare an Environmental Impact Statement") by the BLM posted on September 24, 2015. This notice temporarily segregates the

withdrawal lands for up to two years while the application is processed. Comments are due by December 23, 2015 – Discussion and for Possible Action.

11.10:45 a.m. Consideration of and possible approval of a proclamation from Genesis Home Health Hospice, Inc., the National Association for Home Care & Hospice, and thousands of home care agencies across the United States to declare the month of November 2015 as "National Home Care Month" in Humboldt County– Discussion and for Possible Action.

12.10:50 a.m. Buildings & Grounds: Consideration of and possible approval of a request to final interviews and hire a Maintenance Engineer position vacated on August 3rd, 2015. This request comes following the Board's approval of the modified Attrition Policy allowing the department to advertise for the position approximately 120-days ago - Discussion and for Possible Action

13.10:55 a.m. Consideration of and possible approval of a Grant request for the 2016 Drug Free Graduation Party for Lowry High School. The Drug-Free Graduation committee is requesting a cash donation in the amount of \$2,500.00 and a Grant in the amount of \$800.00 to cover the cost of the Exhibit Hall where the party is held – Discussion and for Possible Action.

14.10:57 a.m. Public Comments: General public comment is designated for discussion only. The public has the opportunity to address the Commission on any matter not appearing on this agenda; however, no action may be taken on a matter raised until the matter itself has been specifically included on the agenda as an item upon which action may be taken.

15.10:58 a.m. Adjournment (For Possible Action)

NOTICE: The County Commission may close the meeting to receive information from legal counsel pursuant to Nevada Revised Statutes 241.015

CERTIFICATE OF POSTING

PLACES POSTED: Humboldt Co. Courthouse: 50 W. 5th St.: Rooms 201, 205, & 207 at 8:40 A.M. By: KPB

Humboldt County Library: 25 E. 5th St. at 8:46 A.M. By: KPB

County Annex: 4th & Bridge St. at 8:48 A.M. By: KPB

Winnemucca City Hall: 4th & Melarkey St. at 8:52 A.M. By: KPB

Humboldt County Website: www.hcnv.us at 8:38 A.M. By: KPB

State of Nevada Website: www.notice.nv.gov at 9:00 A.M. By: KPB

MEETING DATE: November 16, 2015 POSTED BY: Karen Bannister

DATE POSTED: November 10, 2015 before 9:00 A.M. Karen Bannister, Administrative Specialist

NOTE FOR SUPPORTING MATERIAL: A copy of the supporting material for the meeting may be obtained at Commissioner meeting/agendas on the Humboldt County website: www.hcnv.us or by contacting Dave Mendiola, County Administrator, at 50 W. Fifth Street, Winnemucca, Nevada 89445, (775) 623-6300

NOTICE TO PERSONS WITH DISABILITIES - Reasonable efforts will be made to assist and accommodate physically disabled persons desiring to attend the meeting. Please call the Humboldt County Administrator's Office at 623-6300 in advance so that arrangements may be conveniently made.

EQUAL OPPORTUNITY NOTICE - Humboldt County is an Equal Opportunity Employer and will not discriminate against employees or applicants for employment or services in an unlawful manner.

Year: .

Tax #	Description	Rate	Amount	Account Number	% of Total
01	General Fund	.2720	337,800.14	100-000-30120-000	12.1940
02	Snr Citizens	.0300	37,257.38	100-000-30101-000	1.3449
03	Indigent Fund	.0227	28,191.41	201-000-30120-000	1.0177
04	St Accident	.0150	18,628.68	201-000-30103-000	.6725
05	Bldg Reserve	.0100	12,419.12	302-000-30120-000	.4483
06	Co Extension	.0165	20,491.55	203-000-30120-000	.7397
07	State of NV	.1700	211,125.08	741-000-30120-000	7.6213
08	6th Judicial	.1886	234,224.69	205-000-30120-000	8.4551
09	Capital Proj	.0100	12,419.12	301-000-30120-000	.4483
10	Library	.0950	117,981.67	207-000-30120-000	4.2589
13	School Dist	.7500	931,434.20	730-000-30120-000	33.6232
14	Bond&Interest	.1350	167,658.16	731-000-30120-000	6.0522
17	Hospital Oper	.3954	491,052.11	720-000-30120-000	17.7262
20	Museum	.0150	18,628.68	100-000-30102-000	.6725
21	Medical Indg	.0200	24,838.24	211-000-30120-000	.8966
22	St Ind Medic	.0100	12,419.12	211-000-30103-000	.4483
23	China Springs	.0064	7,948.24	205-000-30170-000	.2869
24	WMCA Events	.0400	49,676.49	212-000-30120-000	1.7932
31	Golconda Fire	.0290	36,015.45	716-000-30120-000	1.3001
Total:		2.2306	2,770,209.49		

JEFF JOHNSON • ASSESSOR

ASSESSOR@HCNV.US

November 2, 2015

County Commissioners
Humboldt County Courthouse
50 West 5th Street
Winnemucca, NV 89445

Dear County Commissioners:

Newmont Mining Corporation called and asked that we check our real property roll billing after a discovery was made of another county that had an error in their billing. As it turns out, we had made substantial errors in two of the last three years in our data entry resulting in under billing Newmont.

First and foremost, I believe Newmont should be applauded for their recognizing something may have been wrong and asking us to check. If they had not questioned their bill, this would have resulted in a significant shortfall in the amount of money that would have been due to Humboldt County. It requires integrity and a desire to do what is right for someone to stand up and say they may owe more than what was billed. On our part, we are horrified by the mistakes and will strive to overcome any such data input errors as these in the future. Unfortunately, when we make a mistake with a taxpayer that pays substantial taxes such as the mines, these errors become glaring and embarrassing. We immediately implemented additional steps to ensure this does not happen again.

The real property taxes need to be corrected and an explanation is in order and required, for you to make the adjustment being requested. While this can be somewhat complex, I will attempt to make this as clear and succinct as possible. For your edification, this only occurs on mining properties where a mine owns the land. Therefore, only three properties in Humboldt County can be affected by this at this time.

There are two tax rolls from which the County sends tax bills: the personal property tax roll and the real property tax roll. The Nevada Department of Taxation performs the valuation of mines that are in production in Nevada and transmits those values to the assessors for entry onto their respective tax rolls. If a mine owns real property, the values are typically "secured" and entered onto the real property tax roll, as is the case with Newmont's Lone Tree and Twin Creeks mine as well as the Turquoise Ridge Joint Venture. Whenever the Department of Taxation has "new" values that are to be billed, they send what are referred to as supplemental transmittals along with the real property transmittals. The first year any new property for a mine is billed, it is placed on the personal property tax roll as a supplemental bill pursuant to NRS 361.770. The following year, those values are then transferred to the real property roll. Prior to the tax cap legislation, it

was fairly simple: tax the supplemental values on the personal property roll in year one and add them to the real property roll the following year.

Since the tax cap went into effect in 2005, it has become much more complex. When values from the personal property are transferred to the real property roll, they cannot be just added because the added values will essentially get "abated." They also cannot be added as "new values" because they are not "new" since they were on the personal property roll the previous year.

For example: If a taxpayer had 1,000 value on the real property roll and 500 on the personal property roll because of a supplemental bill, that 500 would be moved to the real roll the next year. Let's say the tax rate was .02. The 1,000 value would result in a \$20 tax bill. The 500 personal property bill would be \$10. Together the taxpayer would pay \$30 between the two bills. Next year, if nothing changed and there was no new value to report, the tax bill would be the same, but would only be billed from the real property tax roll. ($1,500 \times .02$ tax rate = \$30.) However, since the taxes are capped at a maximum of 8%, the real property tax roll bill can only be increased to \$21.60. ($1,000 \times .02 \times 1.08 = \21.60) If the 500 was simply "added to the roll" the following year, the taxpayer would pay \$8.40 less than the previous year if everything stayed the same. If the replacement cost new less depreciation increased by 10% ($1,000 \times 1.10 = 1,100$) the taxes would still only be 8% over the previous year. In order to account for the added value from the personal property roll and still prevent an increase in values that would result in more than an 8% increase in taxes, the values have to be added together correctly. Our system contains a data entry line labeled as PYGAVO which stands for Prior Year Gross Assessed Value Override. Basically, this value is to reflect what the value *would have been* if it had existed in the Prior Year. For this PYGAVO to be correct, we add the existing value and the supplemental value together to keep the taxes from increasing by more than 8% if the rolls were added together.

The supplemental values from the personal property roll also cannot be added to the real property roll as "new", because it is not new, having existed on the personal property tax roll plus it would not receive the appropriate cap as all "new" values are outside the cap. This sometimes gets confusing because of pollution control exemptions. Pollution control exemptions are included on the supplemental roll but must be added into the PYGAVO, because it is the Prior Year's **Gross**. However, all exemptions are taken out before the tax bill is calculated. If they were not added into the gross, the result would be a double counting of the exemptions.

Humboldt County contains three properties where this could be a potential problem: Turquoise Ridge Joint Venture, Twin Creeks and Lone Tree. There were no recent data entry errors on Turquoise Ridge, so they were not affected. Unfortunately, data entry errors were committed on both Twin Creek and Lone Tree.

The errors we made were from entering incorrect numbers resulting in a false PYGAVO. For Lone Tree, the real property exemptions (3,957,122) for 2012-13 tax year were not added to the 2013-14 PYGAVO. This caused the aforementioned exemptions being double counted for the 2013-14 tax year. Also, for Lone Tree, the real property secured exemption (4,820,618) was not entered to the PYGAVO at all on the 2015-16 real property roll. In addition, an entry error was made on the taxes on the PYGAVO calculation worksheet. Instead of \$233,992.08, \$233,922.00

was entered resulting in a small difference in the calculated value that was included in the PYGAVO.

The errors on Twin Creeks occurred in 2013-14 when the net assessed value (8,084,985 from the 2012-13 Personal Property Roll) was entered as the new from the supplemental instead of the gross value (17,755,725 from 2012-13 Personal Property Roll) and the supplemental exemptions (4,835,370 from Personal Property 2012-13) were added instead of the real property exemptions (51,952,713 Real Property 2012-13). To further complicate matters, a revised transmittal came from the Department of Taxation in February of 2013 that changed the new supplemental value to from 17,755,725 to the new value of 20,375,881. We failed to go back into our real property roll and change the PYGAVO to include the additional 2,600,156 added by the Department of Taxation. Also, in 2014-15 for the 2015-16 PYGAVO, the supplemental exemption (16,967,497) was used instead of the real roll exemption (65,181,231). The taxes due as consequences for those errors are listed below.

Pursuant to NRS 361.765(2) The board of county commissioners shall thereupon examine the error or errors so reported, together with such evidence as may be presented in connection therewith, and, if satisfied that the errors or any of them are purely clerical or typographical shall:

(a) By an order entered in the minutes of the board authorize and direct the county treasurer to correct the error or errors so reported so as to conform to the true assessment; and

(b) Deliver a copy of the order to the county treasurer, who shall thereupon make the corrections and change the tax roll or rolls in conformity therewith.

New tax bills will need to be sent to both Lone Tree and Twin Creeks. The final tax results are as follows:

For Lone Tree:

The tax bill for the 2013-14 tax year was APN 07-611-12 and needs to be amended from \$200,113.64 to \$258,761.44

This affects the 2014-15 tax bill which needs to change from \$233,992.08 to \$263,833.53

The tax bill for the 2015-16 tax year was APN 3442-11-100-001 and needs to be amended from \$162,053.70 to \$283,153.75

For Twin Creeks:

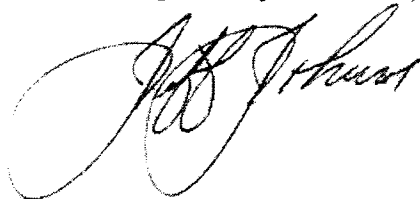
The bill for the 2013-14 tax year was APN and needs to be amended from \$1,305,603.05 to \$2,211,405.95.

This affects the 2014-15 tax bill which needs to be amended from \$1,678,255.51 to \$2,214,388.49

The tax bill for the 2015-16 tax year was APN 3943-19-100-001 and needs to be amended from \$1,090,358.80 to \$2,209,043.10.

Grand Total of both properties for all years listed is \$2,770,209.49

Respectively submitted,



Jeff Johnson
Humboldt County Assessor

APN	Tax Year	Additional Amount to be paid
3943-19-100-001	2013-2014	\$905,802.90
3943-19-100-001	2014-2015	\$536,132.98
3943-19-100-001	2015-2016	\$1,118,684.30
TOTAL		\$2,560,620.18
3442-11-100-001	2013-2014	\$58,647.80
3442-11-100-001	2014-2015	\$29,841.45
3442-11-100-001	2015-2016	\$121,100.05
TOTAL		\$209,589.30
GRAND TOTAL		\$2,770,209.49

This is one cent higher than the Treasurer's calculations from the system.

HUMBOLDT COUNTY SHERIFF'S OFFICE				
FY 2015-16 - 1ST QUARTER				
LIQUOR LICENSES				
RENEWALS:				
			11/16/2015	
Applicant	Business Name	Account No.	Approved	Denied
Baugh, Lauren	Pilot Travel Center	126		
Bumb, Jeff	McDermitt Mini Market	25		
Crawford Ranches Mgmt.	Santa Rosa Station	146		
Dufurrena, Chloe	Say When	18		
Elordi, Kenneth	Ideal Market	55		
Guidero, M & Colgrave, J	East Prussia Imports Mobile	143		
Kennedy, J & Acorda, D	Paradise Valley Bar & Grill	127		
Mallory, Delores	Sand Dune C-Store & Bar	130		
Morrison, William & Gaye	Valmy Station	75		
Rookstool, Ted	Windspur Supply	37		
Sawtooth Mountain	Key's Sawtooth Station	7		
Singh, Parmoit	BJ's Market	27		
Thomson, N & Schunke, S	Club 40	137		
NOTE: All above licenses will expire as of 12/31/15				
Invoices to go out for renewal on 11/30/15				