

Monday, February 16, 2016

The regular meeting of the Humboldt County Board of Commissioners was called to order on Monday, February 16, 2016, at 9:30 a.m. in the regular place of meeting at the Courthouse, Winnemucca, Nevada. Those present were Chairman Marlene Brissenden, Commissioners Garley Amos, Jr., Mike Bell and Jim French, Deputy District Attorney Gabrielle Carr, Administrator Dave Mendiola and Clerk of the Board Tami Rae Spero. Commissioner Ron Cerri was absent.

PUBLIC COMMENTS: Chairman Brissenden asked for public comments. There was no public comment.

DISCUSSION & ACTION ON CORRECTION/APPROVAL OF MINUTES - SEPTEMBER 21, 2015, OCTOBER 5, 2015, OCTOBER 19, 2015, NOVEMBER 2, 2015, DECEMBER 7, 2015, DECEMBER 21, 2015, JANUARY 19, 2016, FEBRUARY 1, 2016, REGULAR MEETINGS AND OCTOBER 15, 2015, JANUARY 22, 2016 AND JANUARY 25, 2016 SPECIAL MEETINGS:

Chairman Brissenden asked for comments or corrections to the minutes of September 21, 2015. None were offered. The following motion was made and passed with Chairman Brissenden, Commissioner French, Commissioner Bell and Commissioner Amos voting aye and Commissioner Cerri being absent:

To approve the September 21, 2015 minutes as presented.

Chairman Brissenden asked for comments or corrections to the minutes of October 5, 2015. None were offered. The following motion was made and passed with Chairman Brissenden, Commissioner French, Commissioner Bell and Commissioner Amos voting aye and Commissioner Cerri being absent:

To approve the October 5, 2015 minutes as presented.

Chairman Brissenden asked for comments or corrections to the minutes of October 15, 2015. None were offered. The following motion was made and passed with Chairman Brissenden, Commissioner French, Commissioner Bell and Commissioner Amos voting aye and Commissioner Cerri being absent:

To approve the October 15, 2015 minutes as presented.

ADMINISTRATIVE REPORT:

CONSENT AGENDA: Administrator Mendiola indicated there was nothing for this item.

SOLID WASTE MATTERS: Administrator Mendiola told the Commission that all of the Solid Waste Management Plan has been updated and that it has been submitted to the Nevada Department of Environmental Protection.

PUBLIC LANDS PLANNING MATTERS & FORMULATION OF COUNTY POSITION ON BLM, FOREST SERVICE AND THE FEDERAL FISH AND WILDLIFE SERVICE PROPOSED

ACTIONS: Administrator Mendiola indicated that there was nothing for this item.

UPDATE REGARDING CODIFICATION OF HUMBOLDT COUNTY CODES FOR ONLINE

ACCESS BY PUBLIC: Deputy District Attorney Carr provided an update on the codification of the Humboldt County Codes.

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 stated he had nothing to offer at this time.

MISCELLANEOUS REPORTS AND CORRESPONDENCE:

OTHER INFORMATION AND UPCOMING MEETINGS: Chairman Brissenden noted upcoming meetings.

REPORTS FROM COMMISSIONERS REGARDING OTHER BOARDS AND COMMITTEES

THEY SERVE ON: Commissioner Bell said he attended an Airport Board Meeting and would be attending a Humboldt Development Authority meeting tomorrow. Commissioner French reported on a quarterly meeting with NevadaWorks. Chairman Brissenden provided information from the last Hospital Board meeting related to phase 5 of the hospital expansion project; she further commented on her attendance at an event in Denio and her visit to the new travel plaza in McDermitt. Commissioner Amos offered no report.

APPROVAL OF EXPENDITURES: A report identifying the expenditures being considered was attached to the agenda for review. The following motion was made by Commissioner Amos and passed with Chairman Brissenden, Commissioner French, Commissioner Bell and Commissioner Amos voting aye and Commissioner Cerri being absent.

To approve the expenditures.

PRESENTATION FOR EMPLOYEE OF THE MONTH AWARD (JANUARY 2016):

Administrator Mendiola reviewed the nomination for the Employee of the Month. The January Employee of the Month Award was presented to Ramona Suba from Justice Court by Chairman Brissenden.

PRESENTATION BY DEMAR DAHL, ELKO COUNTY COMMISSIONER, REGARDING THE NEVADA LANDS COUNCIL AND ITS SUPPORT FOR HR 1484 INTRODUCED BY CONGRESSMAN MARK AMODEI:

The resolution from the Nevada Land Management Task Force became Senate Joint Resolution (SJR) 1 and was passed through the Nevada State Legislature and signed by the Governor during the last session with the intent of transferring federal land to the states. SJR 1 was the template for HR 1484; Commissioner Dahl is requesting

financial support for the effort by the Nevada Lands Council. Elko County Commissioner Demar Dahl appeared before the Commission. Commissioner Dahl provided copies of Bill 1484, as introduced, to the Commissioners for review. Commissioner Dahl reviewed the history of the process, the purpose of the legislation, who was involved, the State Legislative process and what had resulted from that process; he continued discussing the bill before Congress including the amendment and spoke of the need to support the bill including the efforts put forth by the American Lands Council and the newly formed Nevada Lands Council to promote the passage of the bill. Commissioner Dahl asked for Humboldt County's support and requested that they consider joining the Nevada Lands Council noting that the membership cost is \$5,000.00. Commissioner French agreed with the need to support HR 1484 noting the wake-up call received with the implementation of the Land Use Planning Amendment (LUPA) related to sage grouse; he voiced his support for the efforts made by the Nevada Lands Council but suggested that this matter needed to be discussed further when Commissioner Cerri is present given that the Commission has given a "hold the line" direction related to the budget though he does see the need to be active members of the organization. Commissioner Amos concurred with Commissioner French that this is the time to support these efforts. Commissioner French noted that Humboldt County is number two behind Elko as to the impact the LUPA determination will have on areas within the County. Commissioner Bell agreed with the importance of looking at the request but also agreed that Commissioner Cerri should be included in the decision. Commissioner Amos suggested that action should be taken today. Commissioner French stated his discomfort with committing \$5,000.00 without Commissioner Cerri's input but suggested that the matter could be placed on the next agenda for discussion and action. Commissioner Bell agreed and offered the following motion that passed with Chairman Brissenden, Commissioner French, Commissioner Bell and Commissioner Amos voting aye and Commissioner Cerri being absent:

To continue this matter to the next meeting on March 7th.

CONSIDERATION OF & POSSIBLE APPROVAL OF GRANTS AND CASH DONATIONS TO COMMUNITY SERVICE GROUPS AND SPECIAL EVENTS TO BE HELD AT THE WINNEMUCCA EVENTS CENTER AND FAIRGROUNDS:

Lowry High School Senior Class for a grant of \$1,500 for use of the Winnemucca Indoor Events Center for the 2016 Graduation Ceremony: Kailynn Yetter, Senior Class President and Madison Mayo, a senior at Lowry High School appeared before the Commission. Miss Mayo spoke in support of a grant to use the Indoor Events Center for the 2016 graduation ceremony. Commissioner French stated the Commission's support for the request. Discussion occurred regarding the costs for the facility. After discussion the following motion was made by Commissioner Amos and passed with Chairman

Brissenden, Commissioner French, Commissioner Bell and Commissioner Amos voting aye and Commissioner Cerri being absent:

To grant the Senior Class \$1,500.00 to help put on their graduation.

Nevada Rural Counties RSVP Program, Inc. in the amount of \$11,638 (7% of the total cost of providing services in Humboldt County): Attached to the website agenda was a letter detailing the request from Susan C. Haas, Executive Director & C.E.O. of the Nevada Rural Counties RSVP Program Inc. Administrator Mendiola reviewed the request for the Board. Clerk Spero noted that the funds for this request are contained within the Indigent Budget and have been provided in prior years. The following motion was made by Commissioner Amos and passed with Chairman Brissenden, Commissioner French, Commissioner Bell and Commissioner Amos voting aye and Commissioner Cerri being absent:

To approve the grant to the RSVP program.

Vitality Unlimited in the amount of \$8,000 to assist in providing services to the citizens of Humboldt County: Attached to the website agenda was a letter of request from Ester M. Quilici, Chief Operations Officer for Vitality Unlimited. Administrator Mendiola suggested that this request be tabled to allow the organization to appear before the Commission and discuss their program and request. The following motion was made by Commissioner Amos and passed with Chairman Brissenden, Commissioner French, Commissioner Bell and Commissioner Amos voting aye and Commissioner Cerri being absent:

To table.

Humboldt County High School Rodeo Club in the amount of \$7,500 to support their annual high school rodeo scheduled for April 29 through May 1, 2016: Attached to the website agenda was a copy of the cooperative funding application as submitted to the Winnemucca Convention & Visitors Authority detailing the event including its financial benefit to the community. The following motion was made by Commissioner Amos and passed with Chairman Brissenden, Commissioner French, Commissioner Bell and Commissioner Amos voting aye and Commissioner Cerri being absent:

To approve the High School Rodeo Club's \$7,500.00 request.

Silver State International Rodeo in the amount of \$5,000 to support the 2016 Silver State International Rodeo to be held from Tuesday, June 28 through Sunday, July 3, 2016: Attached to the website agenda was a copy of a letter of request from Dale Owen, President, SSIR Board of Directors. Dale Owen appeared before the Board of Commissioners and spoke in support of the request noting that the funding assists in scholarships that are presented by the organization. After discussion the following motion was made by Commissioner Amos and passed with Chairman Brissenden, Commissioner French, Commissioner Bell and Commissioner Amos voting aye and Commissioner Cerri being absent:

To grant the Silver State Rodeo \$5,000.00 to support the rodeo.

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

REPORT OF PENDING ROAD DEPARTMENT PROJECTS: Superintendent Garrett provided the following information to the Commission: They are waiting for materials for the Old Mill Road bridge; gravel was placed on Jungo and Kings River Valley Road, also a portion Alice Lane; maintenance grading was performed on several roads; continuing snow removal in some areas; a culvert was installed on Center Street and Leonard Creek; sand put out during winter has been swept up; there are several cattle guards in need of repair; that the magnesium chloride bid closes on Thursday and he offered an update on the status of work on the retention pond at the Fairgrounds. Superintendent Garrett asked if the Commission wanted to continue the reporting process as it has been presented. Chairman Brissenden and Commissioner French both agreed that the reports have been helpful. Superintendent Garrett commented on the way the item has to be agendized. Deputy District Attorney Carr indicated that whatever the Commission wants to discuss, deliberate or take action on, needs to be agendized. Administrator Mendiola recommended that if a constituent has a concern let him know and the item can be placed on the agenda. It was noted that any major projects that require a vote would need to be placed on the agenda. Administrator Mendiola suggested that the Road Department report be bi-monthly or quarterly. Deputy District Attorney Carr stated that the Road Superintendent could provide a quarterly report to the Commission and it would not need to be agendized unless there is an item to be discussed. Superintendent Garrett asked what the report should contain. Administrator Mendiola suggested the report could contain any major projects they are working on, updates, highlights of work and maintenance performed by the Road Department. It was noted that the next quarterly report would be due at the end of March.

CONSIDERATION OF & POSSIBLE APPROVAL OF A RESOLUTION DECLARING FEBRUARY AS “TEEN DATING VIOLENCE AWARENESS AND PREVENTION MONTH IN HUMBOLDT COUNTY”:

A copy of the proposed resolution was included on the web agenda. Chairman Brissenden read the resolution. The following motion was made by Commissioner French and passed with Chairman Brissenden, Commissioner French, Commissioner Bell and Commissioner Amos voting aye and Commissioner Cerri being absent:

To approve.

(Resolution No. 02-16-16)

CONSIDERATION OF, DISCUSSION & POSSIBLE APPROVAL OF AN AGREEMENT BETWEEN LSA ASSOCIATES, INC. AND HUMBOLDT COUNTY FOR PROFESSIONAL CONSULTING SERVICES FOR CULTURAL AND BIOLOGICAL STUDIES AND

ENVIRONMENTAL DOCUMENTATION FOR THE PUBLIC SAFETY RADIO SYSTEM NOT TO EXCEED \$250,000.00:

A copy of the proposed agreement for professional consulting services between Humboldt County and LSA Associates, Inc. was included on the web agenda. Administrator Mendiola reviewed this item explaining that this is part of the ongoing work on the Public Safety Radio Communications Program and, as ground disruption at the sites will occur, BLM permitting will be required. Administrator Mendiola stated that he believes the cost will be \$140,000.00 but the amount requested was put at \$250,000.00 in case there were any issues. Commissioner French commented on the fact that the BLM use to provide these types of services and discussed what had happened to change that; he noted that this action is not required to complete the NEPA process but to not do so will delay the process for two to three years. Administrator Mendiola said he has the LSA representatives available by phone if the Commission has any questions. The following motion was made by Commissioner Bell and passed with Chairman Brissenden, Commissioner French, Commissioner Bell and Commissioner Amos voting aye and Commissioner Cerri being absent:

To approve the LSA final contract for the Public Safety Radio System not to exceed \$250,000.00.

PUBLIC HEARING:

CONSIDERATION AND POSSIBLE APPROVAL OF AN ORDINANCE AMENDING CHAPTER 8.28 FOR THE HUMBOLDT COUNTY CODE: NON-TRANSIENT USE OF RECREATIONAL VEHICLES AND SHELTERS:

Deputy District Attorney Carr recommended that this item be pulled and set on the March 7, 2016 agenda as there are some publication requirements mandated by statute that need to be complied with prior to the public hearing and those requirements are not complete. The following motion was made by Commissioner French and passed with Chairman Brissenden, Commissioner French, Commissioner Bell and Commissioner Amos voting aye and Commissioner Cerri being absent.

To continue to March 7th.

CONSIDERATION OF & POSSIBLE APPROVAL FOR MICHAEL CLAY CORPORATION, WINNEMUCCA, NEVADA TO PROVIDE REPAIRS AT THE MCDERMITT COMMUNITY CENTER AND PROVIDE AN ASSESSMENT OF THE BUILDING'S EXTERIOR DRAINAGE SYSTEM FOR POSSIBLE REPAIR AT A COST OF \$24,270.75:

A copy of the proposal from Michael Clay Corporation for the McDermitt Community Center Repairs was included on the web agenda. Administrator Mendiola provided the Commission with notes he took from a discussion with Barbara Ferguson, Chairman of the McDermitt Community Center Board. Administrator Mendiola reviewed the request explaining that funds are available from several sources including donations, facility rental fees and rent received from a tower site which has resulted in the Community Board having a fund

balance of about \$54,000.00 therefore his recommendation would be that the Community Center Board participate in the needed repairs and that the County not take complete responsibility; he further explained that based on that recommendation the Community Center Board has agreed to pay \$15,000.00 of the cost with the County's portion being \$9,270.75. Administrator Mendiola continued explaining that there was only one bid received which was from Michael Clay Corporation, that there were two parts to the bid: the first part was \$20,000.00 for the actual repair of the kitchen area; the second part was for an assessment by the contractor for the exterior drainage system. Deputy District Attorney Carr recommended that, if this is a proposed estimated amount, with no actual contract, that the Commission set a limit on the contract. The following motion was made by Commissioner French and passed with Chairman Brissenden, Commissioner French, Commissioner Bell and Commissioner Amos voting aye and Commissioner Cerri being absent:

To approve the bid from Michael Clay Corporation Winnemucca to provide repairs for the McDermitt Community Center as identified not to exceed \$25,000.00 and to accept a partial payment from the McDermitt fund of \$15,000.00.

CONSIDERATION OF, DISCUSSION & POSSIBLE APPROVAL OF A WAIVER OF THE COUNTY ATTRITION POLICY FOR THE ASSISTANT LIBRARY DIRECTOR POSITION THAT WILL BECOME OPEN FEBRUARY 29, 2016 DUE TO THE RETIREMENT OF THE CURRENT ASSISTANT LIBRARY DIRECTOR:

Library Director Cyndi O appeared before the Commission. Director O spoke in support of a waiver of the attrition policy to fill the position of Assistant Library Director noting that this is a critical position in her department. Chairman Brissenden asked about the ability to fill the position from within the department. Director O indicated that all options are being reviewed and that she would like to keep her options open. Deputy District Attorney Carr commented on the language of the attrition policy. Commissioner French asked how long it would take to fill the position. Director O estimated that between the application process and the hiring it could be as long as three months. Commissioner French observed that, as with past requests, the three to four month period needed to fill the position covers the attrition policy time frame. Director O commented on the effect that adhering to the 120 attrition policy period would have on her department. Chairman Brissenden noted the need to keep the library moving forward. After discussion the following motion was made by Commissioner French and passed with Chairman Brissenden, Commissioner French, Commissioner Bell and Commissioner Amos voting aye and Commissioner Cerri being absent:

To grant the waiver of the attrition policy as requested by the Library for the Assistant Library Director Position.

CONSIDERATION OF, DISCUSSION & POSSIBLE APPROVAL OF A COOPERATIVE AGREEMENT BETWEEN CARSON CITY, CHURCHILL COUNTY, DOUGLAS COUNTY, ELKO COUNTY, EUREKA COUNTY, HUMBOLDT COUNTY, LANDER COUNTY, LYON COUNTY, MINERAL COUNTY, PERSHING COUNTY, STOREY COUNTY AND WHITE PINE COUNTY FOR THE CREATION OF NEVADAWORKS WITH THE PURPOSE OF SUPPORTING THE WORKFORCE INNOVATION AND OPPORTUNITY ACT SIGNED INTO LAW BY THE PRESIDENT IS 2014:

Attached to the web agenda were copies of the Cooperative Agreement for the Creation of NevadaWorks, a copy of a letter from Governor Brian Sandoval applauding the achievements of the NevadaWorks Council in their administration of the provisions of the Workforce Investment Act and a handout from NevadaWorks explaining who they are and what they do. Commissioner French reviewed the request and the agreement for the Board noting that legal counsel has reviewed the document and offered changes which have been made. The following motion was made by Commissioner French and passed with Chairman Brissenden, Commissioner French, Commissioner Bell and Commissioner Amos voting aye and Commissioner Cerri being absent:

To accept the approval of the cooperative agreement between NevadaWorks and Humboldt County.

PUBLIC COMMENTS: Chair Brissenden asked for public comments. Comptroller Sondra Schmidt appeared before the Commission and stated her support for the Nevada Lands Council proposal based on a recent experience she had. No further public comment offered.

ADJOURNMENT: Chairman Brissenden adjourned the meeting at 11:08 a.m.

ATTESTED: *J. O. Spivey* Clerk APPROVED: *Mike Bell* Chairman

PREPARED BY: *Betty Lawrence*

(Minutes approved by the Commission and signed by the Chairman on 5-1-17)