

Notice of Public Meeting  
Humboldt County Board of Commissioners Regular Meeting  
**Monday, April 1, 2024**  
8:30 AM

Humboldt County Courthouse Meeting Room 201  
50 West Fifth Street, Winnemucca, Nevada 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 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.

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. PUBLIC COMMENT:

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. Individual comments will be limited to three (3) minutes.

4. APPROVAL OF MINUTES (FOR POSSIBLE ACTION)

Discussion and action on correction/approval of minutes for discussion and action on correction/approval of minutes for March 27, 2017 (Budget Hearing); April 3, 2017; May 1, 2017 (Joint); May 15, 2017; June 19, 2017; July 10, 2017; August 7, 2017 (Joint); August 21, 2017; December 11, 2017 (Joint); January 16, 2018; January 29, 2018 (Retreat); February 5, 2018; February 20, 2018; March 5, 2018; April 2, 2018 (Budget Hearing); April 9, 2018; August 6, 2018; August 20, 2018; September 17, 2018; October 1, 2018; October 15, 2018; March 18, 2019; March 25, 2019 (Budget Hearings); April 1, 2019; May 6, 2019; May 15, 2019 (Special); May 20, 2019; June 3, 2019; June 17, 2019; June 25, 2019 (Special); August 5, 2019; August 19, 2019; September 3, 2019; September 16,

2019; October 21, 2019; November 4, 2019; November 25, 2019 (Special); December 16, 2019; January 6, 2020; January 21, 2020 (Combined Regular and Retreat); February 3, 2020; March 2, 2020; March 19, 2020; April 6, 2020; April 14, 2020 (Special); April 20, 2020; May 4, 2020; June 15, 2020 (Joint); July 17, 2020 (Special Joint); July 20, 2020; August 17, 2020; August 20, 2020 (Special Meeting); September 8, 2020; September 21, 2020; September 30, 2020 (Special); October 5, 2020 (Special Joint Meeting); October 19, 2020; November 9, 2020; November 13, 2020 (Special Canvass); November 23, 2020; December 14, 2020; January 4, 2021; January 25, 2021 (Special Meeting); February 8, 2021; February 22, 2021 (Special Joint Meeting); February 22, 2021; March 22, 2021; March 29, 2021 (Budgets); April 8, 2021 (Special Meeting); June 21, 2021; July 19, 2021; August 9, 2021; August 12, 2021 (Special Meeting); August 23, 2021; September 20, 2021; November 8, 2021; and November 22, 2021; January 3, 2022; January 24, 2022 (Commission Retreat), March 7, 2022, March 21, 2022; May 2, 2022; May 16, 2022; September 19, 2022 (Regular Meeting); November 7, 2022; November 21, 2022; December 12, 2022; March 20, 2023; and March 18, 2024. Discussion and possible action.

4.A) Minutes

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[HCC091922unapprovedUNOFFICIAL.pdf](#)  
[HCC110722unapprovedUNOFFICIAL.pdf](#)  
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[HCC032023unapprovedUNOFFICIAL.pdf](#)  
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5. APPROVAL OF EXPENDITURES FOR HUMBOLDT COUNTY FOR MARCH 18, 2024 THROUGH APRIL 1, 2024 (FOR POSSIBLE ACTION)
6. SIXTH JUDICIAL COURT (FUND 205) BUDGET HEARING; REQUEST TO APPROVE FISCAL AGENT MEMORANDUM OF UNDERSTANDING (FOR POSSIBLE ACTION)
  - A. Consideration, discussion and possible tentative approval for the Sixth Judicial District Court (Fund 205). This consideration and discussion is the first public hearing on the fiscal year 2024-2025 Sixth Judicial District Court. The Board of County Commissioners is required to hold budget hearings in accordance with NRS 354.596. Sixth Judicial District Court will present and discuss their budget proposals with the Board of County. This discussion may include a presentation, review, and discussion of revenues, expenditures, and transfers to and from county funds, and specific funding requests including, but not limited to, additions or deletions to personnel, equipment, supplies, and services used or received. The Board of County Commissioners may take action for tentative approval of the proposed budget, but all budgets are subject to final approval and action at the time final budgets are submitted. Discussion and possible action.
  - B. Consideration, discussion and possible action to approve a Fiscal Agent Memorandum of Understanding between Humboldt County and Sixth Judicial

District Court, Adult Drug Court. Discussion and possible action.

6.A) Sixth Judicial District Court

[4.1.24 Commission Agenda Request.pdf](#)

7. COMPTROLLER: OROVADA HVAC PROJECT (FOR POSSIBLE ACTION); FINANCIAL REPORT (INFORMATIONAL ONLY)

A. Consideration, discussion and possible approval for a quote to provide design calculations and assist in unit selection for HVAC in the Orovada Community Hall and to engage a project manager(s) to ensure the project is completed. Discussion and possible action.

B. Humboldt County Comptroller Gina Rackley will provide an overview of current conditions with respect to Humboldt County revenues and expenditures for fiscal year 2024 (July 1, 2023 through June 30, 2024), including an update on the American Rescue Plan Act (ARPA) and other funding available to the County. Information Only.

7.A) Orovada HVAC

[Staff Report ARPA Project HVAC Orovada Community Hall.pdf](#)

8. DISTRICT ATTORNEY: REQUEST TO WAIVE ATTRITION POLICY (FOR POSSIBLE ACTION)

Consideration, discussion and possible approval for a request to waive the attrition policy to hire for the Caseworker I/II position in the Child Support Division of the District Attorney's Office. Discussion and possible action.

8.A) District Attorney

[Agenda Request Form Template Waiver Attrition Policy Caseworker Child Support 2024.pdf](#)

9. PUBLIC WORKS DEPARTMENT: REQUEST TO SOLICIT CONTRACT FOR CERTIFIED OPERATOR (FOR POSSIBLE ACTION); GENERAL ROAD PROJECTS (FOR INFORMATION ONLY)

A. Consideration, discussion and possible approval for a request to solicit contract work from Grant's H2O LLC as Certified Operator for Gold Country Water System. Discussion and possible action.

B. A presentation by Humboldt County Public Works Director Dan Ferraro to update the Board on Road projects within Humboldt County, 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.

9.A) Public Works

[Staff Report -GCW change in Certified Operator 4-1-2024.pdf](#)

10. BUILDINGS AND GROUNDS: REQUEST TO WAIVE ATTRITION POLICY; NOTICE OF EMERGENCY EXPENDITURE FOR REPAIR TO COURTHOUSE HVAC SYSTEM (FOR POSSIBLE ACTION)

- A. Consideration, discussion and possible approval to waive the attrition policy to hire for the Grounds & Parks Maintenance Worker II position. Discussion and possible action.
- B. Consideration, discussion and possible approval of an emergency expenditure for A1 Commercial to repair the courthouse, main HVAC air-handler, in an amount not to exceed \$20,591.00. Discussion and possible action.

10.A) Buildings & Grounds

[Staff Report - Grounds & Parks Maintenance Worker II Waiver of Attrition Policy 3-19-24.pdf](#)

[Staff Report - Replacement Parts for Air Handling HVAC unit AHU-F for 2nd Floor and Invoice.pdf](#)

11. LIBRARY: REQUEST TO WAIVE ATTRITION POLICY (FOR POSSIBLE ACTION)

Consideration, discussion and possible approval for a request to waive the attrition policy to hire for the position of Library Assistant. Discussion and possible action.

11.A) Library - waive attrition policy

[2024.03.19 Library\\_Request\\_for\\_Waiver\\_of\\_Attrition\\_Policy.pdf](#)

12. TECHNOLOGY SERVICES: REQUEST TO WAIVE THE ATTRITION POLICY; REQUEST TO APPROVE NEW POSITION; REQUEST TO PURCHASE SERVERS; REQUEST TO APPROVE MCDERMITT TOWER AND SHELTER EQUIPMENT INSTALLATIONS (FOR POSSIBLE ACTION)

- A. Consideration, discussion and possible approval for a request to waive the attrition policy to hire for the position of Technology Services Technician. Discussion and possible action.
- B. Consideration, discussion and possible approval for a request to add the new position of Technology Services Coordinator. Discussion and possible action.
- C. Consideration, discussion and possible approval for a request to purchase two (2) servers in an amount not to exceed \$17,008.18. Discussion and possible action.
- D. Consideration, discussion and possible approval for a request to proceed with a change order at the McDermitt Public Safety Communication Site, by Premier Wireless to complete the third and last phase of construction, in an amount not to exceed \$34,097. Discussion and possible action.

12.A) Technology Services

[Agenda Request Form Template\\_2023 - TSD Waiver of Attrition Policy.pdf](#)

[Agenda Request Form Template\\_2023 - TSD - Approve New Position - TSD Coord.pdf](#)

[Agenda Request Form Template\\_2023 - TSD Servers Purchase Req.pdf](#)

[Agenda Request Form Template\\_2023 - TSD-McDermitt Tower & Shelter Equip Installs.pdf](#)

13. COUNTY MANAGER: REQUEST TO WAIVE ATTRITION POLICY TO HIRE BUILDING INSPECTOR; REQUEST TO BEGIN THE RECRUITING AND HIRING PROCESS FOR

BUILDING OFFICIAL (FOR POSSIBLE ACTION)

- A. Consideration, discussion and possible approval to waive the attrition policy to hire for the vacant position of Building Inspector I, II, or III. Discussion and possible action.
- B. Consideration, discussion and possible approval to begin the process to recruit and hire for the position of Building Official. Discussion and possible action.

- 13.A) County Manager - Bldg Inspector & Bldg Official  
[Staff Report - Building Inspector Waiver of Attrition 04012024.pdf](#)  
[Staff Report - Building Official Recruitment 04012024.pdf](#)

14. COUNTY MANAGER: REQUEST TO APPROVE COOPERATING AGENCY MEMORANDUM OF UNDERSTANDING WITH THE BUREAU OF LAND MANAGEMENT (FOR POSSIBLE ACTION)

Consideration, discussion and possible action to approve the Memorandum of Understanding with the BLM for the development of the Wilderness Study Area Invasive Annuals Treatments Environmental Assessment Plan. Discussion and possible action.

- 14.A) BLM MOU - Invasive Treatments  
[Staff Report - BLM MOU Coop Agency Invasive Annuals - Package 04012024.pdf](#)

15. COUNTY MANAGER: REQUEST TO APPROVE THE NEVADA DIVISION OF FORESTRY MEMORANDUM OF AGREEMENT (FOR POSSIBLE ACTION)

Consideration, discussion and possible action to approve a Memorandum of Agreement between Humboldt County and the Nevada Division of Forestry to transfer certain equipment for fire and other emergency service uses. Discussion and possible action.

- 15.A) NDF MOA - McDermitt  
[Staff Report - NDF MOA for McD Fire - Package 04012024.pdf](#)

16. COUNTY MANAGER: REQUEST TO APPOINT A QUALIFIED PERSON TO THE HUMBOLDT COUNTY ADVISORY BOARD FOR THE NEVADA BOARD OF WILDLIFE COMMISSIONERS (FOR POSSIBLE ACTION)

Consideration, discussion and possible approval for a request to appoint a qualified person to the Humboldt County Advisory Board for the Nevada Board of Wildlife Commissioners. Discussion and possible action.

- 16.A) CAB appointment  
[Staff Report - NDOW County Advisory Board Commissioner assignment 04012024.pdf](#)

17. MISCELLANEOUS REPORTS AND CORRESPONDENCE

- 1. Other information and upcoming meetings:

April 1, 2024 Humboldt County Board of Commissioners Meeting

April 9, 2024 Winnemucca City Council Meeting

April 11, 2024 Regional Planning Commission Meeting

April 15, 2024 Humboldt County Commission Meeting

April 23, 2024 Winnemucca City Council Meeting

2. Reports from Commissioners regarding other Boards and Committees on which they serve, including POOL/PACT Board, National Wild Horse & Burro Advisory Board, Nevada Association of Counties (NACO), Regional Airport Board, 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, Humboldt County Elk Planning Steering Committee, Paradise Conservation District and the State Land Use Planning Advisory Council (SLUPAC).

#### 18. FUTURE AGENDA ITEMS

Whether an item will be placed on a future agenda will be subject to the chairman and/or legal counsel's determination.

#### 19. PUBLIC COMMENT:

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. Individual comments will be limited to three (3) minutes.

#### 20. ADJOURNMENT

#### 21. NOTICE:

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

The public is welcome to attend the meeting electronically via Microsoft Teams or by appearing in person at the location at the time and date listed on the first page of this agenda. There will be a physical location for the meeting; however, the meeting may be accessed electronically through an internet connection at Microsoft Teams link located on the first page of this agenda.

Staff reports and supporting material posted for the meeting are available on the Humboldt County website at <https://www.humboldtcountynev.gov/> (click on the "Government" link on the home page) if that information was available when the agenda was posted. If the supporting material/ staff report is not included in the agenda packet, it is available to the general public at the same time the materials are provided to the Board. The

administrative assistant at the County Manager's Office located at 50 West 5th Street, Winnemucca, Nevada, telephone number 775-623-6300 is the designated person from whom a member of the public may request the supporting material for this meeting and the County Manager's Office is the location where the supporting material is available to the public.



**Humboldt County Board of Commissioners**  
**Monday, May 2, 2022, at 8:34 a.m.**  
**Meeting Minutes**

Those present were Chairman Jim French, Commissioners Ken Tipton, Ron Cerri, Jesse Hill, and Tom Hoss, Deputy District Attorney Wendy Maddox, County Manager Dave Mendiola and Clerk of the Board Tami Rae Spero.

CALL TO ORDER: Chairman French called the regular meeting to order in the regular place of meeting at the County Meeting Room #201, Courthouse, Winnemucca, Nevada.

STAFF REPORT: Staff report provided to the Board (see attached).

PLEDGE OF ALLEGIANCE: All in attendance recited the Pledge of Allegiance.

PUBLIC COMMENT: Chairman French asked for public comment. Robert and Wendy Cramer appeared before the Commission and offered public comment related to a health concern off of Drake Lane with a property owner watering, herding and grazing cattle within 500 feet of their home including difficulties between the rancher and the BLM, the damage to the roads, the creation of nuisance dust, the impact on health issues within the family and the mess left by the cattle with everything being tracked into their home and driveway. Mr. Cramer stated that they had taken their concern to the rancher and the BLM but due to the issues between the two nothing is being done; he stated that they would have no problem if the cattle were watered somewhere else just so it is not on the main travel way, that the BLM has no problem if the issue is on personal property, but it is occurring in the easement. Mrs. Cramer noted that they had no problem when the watering was on BLM property but when it was moved to the front of the house it became an issue and that the people, they have spoken to, have been of no help. Chairman French offered that they should contact the County Clerk to obtain paperwork for a nuisance complaint, that he can't guarantee what will occur but that will bring it before the Commission for consideration as to whether it falls within the nuisance code for action. No further public comment was offered.

APPROVAL OF MINUTES: Discussion and action on correction/approval of minutes for discussion and action on correction/approval of minutes for March 27, 2017 (Budget Hearing); April 3, 2017; May 1, 2017 (Joint); May 15, 2017; June 19, 2017; July 10, 2017; August 7, 2017 (Joint); August 21, 2017; December 11, 2017 (Joint); January 16, 2018; January 29, 2018 (Retreat); February 5, 2018; February 20, 2018; March 5, 2018; April 2, 2018 (Budget Hearing); April 9, 2018; August 6, 2018; August 20, 2018; September 17, 2018; October 1, 2018; October 15, 2018; March 18, 2019; March 25, 2019 (Budget Hearings); April 1, 2019; May 6, 2019; May 15, 2019 (Special); May 20, 2019; June 3, 2019; June 17, 2019; June 25, 2019 (Special); August 5, 2019; August 19, 2019; September 3, 2019; September 16, 2019; October 21, 2019; November 4, 2019; November 25, 2019 (Special); December 16, 2019; January 6, 2020; January 21, 2020 (Combined

Regular and Retreat); February 3, 2020; March 2, 2020; March 19, 2020; April 6, 2020; April 14, 2020 (Special); April 20, 2020; May 4, 2020; June 15, 2020 (Joint); July 17, 2020 (Special Joint); July 20, 2020; August 17, 2020; August 20, 2020 (Special Meeting); September 8, 2020; September 9, 2020 (Special); September 21, 2020; September 30, 2020 (Special); October 5, 2020 (Special Joint Meeting); October 19, 2020; November 9, 2020; November 13, 2020 (Special Canvass); November 23, 2020; December 14, 2020; January 4, 2021; January 25, 2021 (Special Meeting); February 8, 2021; February 22, 2021 (Special Joint Meeting); February 22, 2021; March 22, 2021; March 29, 2021 (Budgets); April 8, 2021 (Special Meeting); June 21, 2021; July 19, 2021; August 9, 2021; August 12, 2021 (Special Meeting); August 23, 2021; September 7, 2021; September 20, 2021; November 8, 2021; and November 22, 2021; December 13, 2021; January 3, 2022; January 24, 2022 (Commission Retreat), March 7, 2022, March 21, 2022, and April 18, 2022. Chairman French asked for corrections for the minutes of April 18, 2022; none offered. The following motion was made by Commissioner Cerri and passed unanimously:

*To approve the minutes as presented for April 18, 2022.*

APPROVAL OF EXPENDITURES FOR HUMBOLDT COUNTY FOR APRIL 18, 2022 THROUGH MAY 2, 2022: The following motion was made by Commissioner Tipton and passed unanimously:

*To approve the expenditures for Humboldt County for April 18, 2022 through May 2, 2022 as presented.*

MORMON CRICKET MITIGATION PROGRAM UPDATE: An update from State Entomologist Jeff Knight regarding the Mormon Cricket Mitigation Program. State Entomologist, Jeff Knight appeared before the Commission via Teams and offered an update including that surveys have begun but noted some issues due to weather, that reports have been received from the public, that crickets were being seen from Red Rock to Elko and reports have been received from other areas beyond those; that they are attempting to get data on initial sites which are proposed for spraying with crews going out this week to determine where to prioritize treatment. Dan Murphy with the USDA reported on the status of the EAs for ground baiting. Mr. Knight continued updating the Commission on the plans for treatment including the hiring of seasonal help. Chairman French asked about the status of the EA for aerial spraying. Mr. Knight responded that those were included in the previously discussed EAs and discussed the cooperative proposal planned. Chairman French asked about the status of the contracts for aerial spraying. Mr. Knight responded explaining what needs to be determined prior to contracting. Chairman French asked if we are in the place to discuss partnerships between the State and County for an all-hands-on deck aspect. Discussion ensued regarding the County's involvement with ground baiting and what is currently in place. Chairman French commented on the need to have efforts on the ground in April rather than May. Mr. Murphy and Mr. Knight responded. Chairman French commented on the flexibility to react in a timely

manner and questioned when the aircraft would be available for the aerial spraying. Mr. Knight and Mr. Murphy responded. Commissioner Cerri commented on his frustration with this situation every year and his hope that this three-year agreement will assist with this issue; he discussed the number of crickets out there throughout the state and his concerns with the way the State responds to the crickets. Mr. Knight and Mr. Murphy responded explaining why treatment can only be done one-time in certain instances. Discussion ensued regarding whether funding is an issue and the application situation. Commissioner Tipton asked about prior comments that the end of May was the end of the effective treatment period. Mr. Knight responded explaining what was considered for the timeframe and what would be considered when prioritizing. Chairman French offered comment that we need to control our own destiny and to have the ability to defend the program. Chairman Cerri commented on his lack of confidence as to when the EIS would be completed. Chairman French commented on the need to have a program that is flexible for items such as weather.

A & H INSURANCE POOL/PACT UPDATE: Marianne Dente from A & H Insurance will provide an update on A & H's role and the annual Pool/PACT board meeting. Marianne Dente and Kayla Woods from A&H Insurance appeared before the Commission. Ms. Dente commented that this is a pre-renewal meeting to allow the County to know what the status is and to introduce Kayla Woods as the new liaison between the company and the entities. Ms. Woods offered comments on what is going to be provided to the County on a monthly and quarterly basis as well as reviews of those services that will be provided. Ms. Dente discussed what had occurred at the annual Pool/PACT Board meeting. Ms. Woods commented on the continued efforts to seek better options but, at this time, they feel that Pool/PACT is the best option and explained. Ms. Dente offered comment as to the need to create a pool of companies to replace what Pool/PACT offers and explained what would have to occur to notice the Pool of an intention to leave noting that the other companies will not provide quotes until that occurs; she noted that to take all of these companies' options would not be financially competitive plus that not all the value-added options available from Pool/PACT would be included. Ms. Dente commented on the county's full involvement with all options within the program. Chairman French asked about other entities leaving the Pool. Ms. Woods responded. Ms. Dente noted that, if an entity is not doing their part, they can be asked to leave. Chairman French noted his interest in the reports that will be provided. Commissioner Cerri asked about the impact of counties leaving the Pool on the rates. Ms. Dente responded. Commissioner Hoss asked about Commission representatives on the Pool/PACT noting that he was appointed but has not received information regarding the meetings and such. Manager Mendiola responded that he would make sure that information is provided.

PROCLAMATIONS: District Judge Michael Montero and Juvenile Services Director Pauline Salla appeared before the Commission.

MENTAL HEALTH AWARENESS MONTH AND NATIONAL DRUG COURT MONTH: Consideration, discussion, and possible action to proclaim May 2022 as "Mental Health Awareness Month" and "National Drug Court Month." Copies of the proposed Proclamations were included on the on-line agenda for review. Judge Montero reviewed the request as to National Drug Court Month for the Commission. Director Salla reviewed the request for Mental Health Awareness Month for the Commission. The following motion was made by Commissioner Cerri and passed unanimously:

*To approve and distribute a County Proclamation identifying May as National Drug Court Month and Mental Health Awareness Month.*

*(Proclamations No. 05-02-22 and 05-02-22a)*

APPROVAL OF LETTER OF SUPPORT FOR THE IRON POINT SOLAR, LLC TAX ABATEMENT APPLICATION: Consideration, discussion and possible approval of a letter to be signed by the Chairman or Vice Chairman notifying Director David Bobzien of the Governor's Office of Energy that the Board has considered Iron Point Solar, LLC's application for a partial abatement of the taxes and recommends approval of the application. NRS 701A.365 2(b)(1) and (2) provides two scenarios where the County Commission can deny the application, however, the Humboldt County Assessor has determined that neither scenario exists in Humboldt County as it pertains to this application. Included on the on-line agenda for review was a copy of the notice to the Board of Commissioners from the Governor's Office of Energy including a copy of the Renewable Energy Tax Abatement Application for Iron Point Solar, LLC and a copy of the proposed letter of recommendation from the Board of Commissioners. Manager Mendiola reviewed the request for the Board noting that there are limitations on refusal of this request. Ryan Bellows, Mark Warden and John Frankovich with NV Energy appeared before the Commission via Teams. Harley McDonald representing Iron Point Solar appeared before the Commission via Teams. Tony Gildone with NV Energy appeared before the Commission. Mr. Gordon offered comment on the plan for the assets to be transferred to NV Energy. Chairman French asked about the transfer of the abatements to NV Energy and the status of the sage grouse aspect of the EIS. Assessor Heiser appeared before the Commission and responded to a question from Chairman French on the transfer of abatements to NV Energy and how that will impact the County. Discussion ensued with Chairman French voicing concerns about the lack of information provided regarding the tax issue and how that makes it difficult for the Commission to make a determination as to this item. Mr. Warden commented on the lifespan of the Valmy plant and the benefits of these types of projects to the County with their placement with Valmy. Chairman French noted his concerns with the

loss of Valmy. Ms. McDonald offered comments on the jobs within the county both temporary and full-time, the status of the NEPA analysis and right-of-way grants and the construction timeline. Commissioner Hoss asked if the project is all on private land. Ms. McDonald responded that it is 98% private land with some access roads being on public lands. Commissioner Hoss questioned the total amount related to the project. Ms. McDonald responded explaining the cost of the project and noting that this abatement request is only for Iron Point not Hot Pot and what the estimated property tax amount for the County has been determined to be. Commissioner Hoss asked what would happen to the plant and the lines currently in place and whether the ability is in place to use solar power. Mr. Warden and Mr. Frankovich responded and explained. Commissioner Hoss asked about the comparison between coal-generated power and solar-generated power. Mr. Frankovich and Mr. Warden responded. Commissioner Hill asked about NEPA permitting on private lands. Chairman French explained. Commissioner Hill offered comment on his research and that he is not convinced that the output is as good as it is being presented to be. Chairman French stated his understanding but noted the life expectancy of the coal powered plants. Commissioner Hoss commented on controlling our own destiny and noted his concern with the lack of options available to the Board; he stated that he would like more data. Chairman French replied that the Board has no jurisdiction with what occurs on private land as long as they are meeting the criteria outlined within NEPA and so, the determination is whether it is the County's best interest and whether the Board has the data to deny. Deputy District Maddox noted that, if the Commission does nothing within thirty days, it is approved automatically. Commissioner Cerri commented on what he sees with this matter and questioned what the impact of these incentives is to the taxpayers with providing abatements that aren't available to others. Assessor Heiser offered comments as to other companies within the county that receive abatements. Commissioner Cerri stated he understands that there are other abatements but that the information provided is redacted and he questioned why. Chairman French noted that the taxpayers will actually carry a piece of the responsibility for the temporary construction workers coming into the county for which services need to be provided; he further noted that this abatement is different as it will eventually be transferred to a public utility. Manager Mendiola displayed the data provided by the Governor's Office of Energy and noted the state sales and use tax abated as indicated. Ms. McDonald explained that only some of what is being spent is subject to tax abatement. Mr. Warden noted that the staff report provided by county staff identified that the benefit to the county would far outweigh the revenue that the County would receive. Ms. McDonald explained why the application is redacted and what would need to occur to provide an unredacted application. Both Chairman French and Commissioner Cerri responded that they had believed, based on what was said at the last meeting, that

the unredacted information would be provided for this meeting. Commissioner Tipton commented on what the Commission can do given that this project is located on private lands. Discussion ensued regarding the unredacted information not being provided. Commissioner Hoss suggested that the Board deny the letter of support until the additional information is received. Deputy District Attorney Maddox explained the two reasons the request could be denied and asked that any motion to deny be tied to one of those two reasons. Assessor Heiser was asked if he could provide information to support either reason. Commissioner Cerri confirmed that the Board cannot deny this due to the lack of information provided. Deputy District Attorney Maddox confirmed that they could not. Chairman French stated that, if the Board chooses one or both of the reasons, then it puts the onus back on the folks that are requesting this to provide what is needed and questioned how the Board can be held responsible if they do not have the data needed; he explained what he sees as missing. Assessor Heiser responded discussing the projected revenues of the project over the next 30 years and the additional costs his Office will incur related to the use of a consultant for these types of projects; he noted that those costs would be less than the revenue generated. Chairman French noted the impacts to the schools, law enforcement and such which need to be factored as a cost to the county. Assessor Heiser commented on what information was provided and that the information provided was sufficient for him to make his decision. Commissioner Hoss noted his concern with the State issuing abatements that impact the counties with projects that may not go forward but do result in the County having to pay for the impacts. Chairman French noted that based on statute the Board does not appear to have a choice. Discussion ensued regarding the State's ability to provide abatements to projects. After discussion the following motion was made by Commissioner Tipton and passed with Chairman French and Commissioners Tipton and Cerri voting aye and Commissioners Hill and Hoss voting nay:

*To approve the letter notifying the Governor's Office of Energy that the County received the letter regarding the application and recommending approval of the application for Iron Point Solar for partial abatement of taxes even though we don't feel like we were presented with the numbers that we needed.*

Chairman French recessed the meeting at 10:47 a.m. reconvening at 10:52 a.m.

Chairman French stated that the Board would continue to item 16 as it is past time for the public hearing.

COMPTROLLER: Comptroller Gina Rackley appeared before the Commission.

FINANCIAL REPORT: Humboldt County Comptroller Gina Rackley will provide an overview of current conditions with respect to Humboldt County revenues and expenditures for fiscal year 2022 (July 1, 2021 through June 30, 2022), including an update on the American Rescue Plan Act (ARPA). Comptroller Rackley reviewed the February CTX numbers noting that they are down but commented that she had

received an e-mail indicating that the State was reviewing something with the figures so she would not be presenting the information pending any changes. Comptroller Rackley commented on the AT&T bills discussed at the last meeting and the need for those to remain as the phone lines are outside the current system. She noted upcoming budget augmentations and net proceed receipts.

**RECOMMENDATION TO CHANGE HEALTH INSURANCE PROVIDERS:** Consideration, discussion and possible approval of a recommendation from the Insurance Benefits Review Committee to change health insurance providers from Hometown Health to Anthem for the Fiscal Year 2022 – 2023 beginning July 1, 2022. Comptroller Rackley noted issues with Hometown Health providing data which impacts the ability to go to with a self-funded plan as had been discussed and impacted the ability to seek out other providers. She continued stating that Hometown Health came in with a 31% increase with no back-up data to show why and that Anthem is offering a 15% increase and explained what they will offer given the lack of data provided. She stated that the recommendation from the Insurance Committee is to change providers. Discussion ensued regarding the issue with Hometown Health and the impact on the budget of the increase in rates. Commissioner Hill commented that he had reached out to a couple of medical professionals who had indicated that this move was to a better provider. The following motion was made by Commissioner Hill and passed unanimously:

*To approve a recommendation from the Insurance Benefits Review Committee to change health insurance providers from Hometown Health to Anthem for fiscal year 2022-2023 beginning July 1, 2022.*

**RESOLUTION:**

**RECONVEYANCE OF REAL PROPERTY - ASSESSOR'S PARCEL NUMBER 13-0618-11:** Consideration, discussion and possible approval of a resolution to reconvey real property, pursuant to NRS 244.290, Assessor's Parcel Number 13- 0618-11, located in Humboldt County, Nevada, to the R.G. Alexander Family Limited Liability Company, a Nevada company whose registered agent with the Nevada Secretary of State is manager Wallace Baum. Included on the on-line agenda was a copy of the Record of Survey for the parcel discussed. Manager Mendiola reviewed the request for the Commission. Deputy District Attorney Maddox reviewed the allowance for this action per NRS 244.290. Commissioner Hoss asked if the property could be used for the sewer system. Manager Mendiola stated that it is too small. Commissioner Hill voiced his concern that the Board doesn't know for what purpose the property was deeded to the County and that it is an asset to the County which creates leverage for something. Manager Mendiola noted the benefit is that it will go back on the tax roll. Deputy District Attorney Maddox reviewed minutes from a Regional Planning Commission meeting at which the property was discussed which explained the purpose of the dedication to the County. After discussion the following motion was

made by Commissioner Cerri and passed unanimously:

*To reconvey real property, Assessor's Parcel Number 13-0618-11 located in Humboldt County, Nevada to the R.G. Alexander Family Limited Liability Company, a Nevada company, whose manager is Wallace Baum because the property is of no benefit to the County, and it is unnecessarily burdensome to maintain the property for the County.*

*(Resolution No. 05-02-22b)*

CLERK'S OFFICE: County Clerk Tami Rae Spero appeared before the Commission.

REQUEST TO USE THE COUNTY MEETING ROOM FOR 2022 PRIMARY ELECTION ACTIVITIES AND FOR THE COMMISSIONERS TO CALL A SPECIAL MEETING FOR CANVASS AND CERTIFICATION OF THE ELECTION: Consideration, discussion and possible approval of the County Clerk's request to use the County Commission Meeting Room for the 2022 Primary Election activities and a request for the Humboldt County Board of Commissioners to call a special meeting for Friday, June 24, 2022 for canvass and certification of the election. Clerk Spero reviewed the request for the Commission. The following motion was made by Commissioner Tipton and passed unanimously:

*To approve the request from the Humboldt County Clerk to use the County Meeting Room for activities related to the 2022 Primary Election period of May 27, 2022 through June 23, 2022 including the early voting and mail in ballot processes and to set a special meeting for the Humboldt County Commission on June 24, 2022 for the canvass of votes.*

HOMELAND SECURITY GRANT AWARD: Consideration, discussion and possible approval to accept the agreement for the Homeland Security Grant Award in the amount of \$14,400.00 with no County match required, and which is pending approval of the agreement from the District Attorney's Office. Included on the on-line agenda for review was a copy grant award paperwork and a copy of a quote for the Ready Humboldt County Unite App. Grant Coordinator Rachelle Piquet appeared before the Commission and reviewed the request for the Commission. The following motion was made by Commissioner Cerri and passed unanimously:

*To approve the homeland security grant award in the amount of \$14,400.00 to be awarded to the Ready Humboldt County Unite Project.*

PLANNING:

SET TO PUBLIC HEARING:

**RH-22-06:** ZONE CHANGE REQUEST SUBMITTED BY THE REGIONAL PLANNING COMMISSION: Consideration, discussion and possible action to set RH-22-06 to public hearing with a date to be determined by County Clerk. RH-22-06 is a zone change request submitted by Regional Planning

Commission on behalf of D J Nicholson and K L Brightman to change the C (Commercial) zoning designation to CH (Highway Commercial) zoning designation on property located off W Winnemucca Blvd and I-80 Interchange (APN 10- 0261-01). Chairman French read the title of the item to be set to public hearing. The following motion was made by Commissioner Tipton and passed unanimously:

*To set RH-22-06 for public hearing with the date to be determined by the County Clerk.*

PLANNING: Senior Planning Technician appeared before the Commission.

10:00 A.M. PUBLIC HEARING:

**VH-22-03:** Consideration, discussion and possible approval of VH-22-03, a variance request submitted by Jose Fuentes-Diaz to reduce the front yard setback from 30' to 20'. The applicant is proposing construction of a 9' + addition to the front of his home. Subject property is located at 6085 Mills Road; Assessor's parcel #13-0504-03. Included on the on-line agenda for review was a copy of the Planning Department's Staff Report with the Application for Variance and a map of the location attached recommending approval. Chairman French read the title of the items set to public hearing. Mrs. Lawrence reviewed the request for the Commission. Chairman French asked for public comment. James Turner, a neighbor, spoke in support of the request. The following motion was made by Commissioner Tipton and passed unanimously:

*To approve VH-22-03, a variance request submitted by Jose Fuentes-Diaz to reduce the front yard from thirty feet to twenty feet, Assessor's parcel number 13-0504-03.*

Chairman French stated that the Commission would move to item 24 on the agenda at this time.

TECHNOLOGY SERVICES DEPARTMENT: Technology Services Director Ric Grantham and IT Manager Mike DeTullio appeared before the Commission.

AUTHORIZATION TO PROCEED TO MOVE FORWARD WITH SUBMITTING BLM SF299 FORM: Consideration, discussion and possible approval of a request for the Chairman or Vice-Chairman to sign an Authorization to Proceed for SAC Wireless and/or NOKIA to move forward with submitting their BLM SF299 form to modify the Denio Summit Right-of-Way Site, Lease Authorization Number NVN 053338. Director Grantham reviewed the request for the Commission. Commissioner Hoss asked about AT&T's involvement. Director Grantham responded. Following discussion as to the location involved with this motion as Commissioner Cerri's proposed motion identified "Double H", Commissioner Cerri withdrew his motion as stated and offered the following amended motion which passed unanimously:

*To authorize the Chairman and the Board Vice-Chair to sign an authorization to process on SAC Wireless and/or NOKIA to move forward with submitting their BLM SF299 form to modify the Denio Summit Right-of-Way Site, lease authorization number NVN 053338.*

REQUEST FOR SIGNATURE ON LETTER OF REJECTION TO CO-LOCATE AT DOUBLE H RIGHT OF WAY SITE:

Consideration, discussion and possible approval of a request for the Chairman or Vice-Chairman to sign a Letter of Rejection to New Cingular Wireless PCS, LLC (AT&T) by and through SAC Wireless and/or NOKIA to co-locate at the BLM Double H Right-of-Way Site, ROW Grant Number N-100843. Director Grantham reviewed the request for the Commission stating that this rejection letter states that we are not going to allow them into our building or to utilize our tower which basically gives them the right to go to the BLM stating that no one will take them, and they want to build their own tower. Commissioner Hill asked what a valid reason is to reject this request. Director Grantham responded stating this is due to engineering designs on the space as the BLM has limited us to a certain height and explaining how additional users could impact the county's needs. The following motion was made by Commissioner Cerri and passed unanimously:

*To authorize the request for the Chairman or Vice-Chairman to sign a letter of rejection to New Cingular Wireless by and through SAC Wireless and/or NOKIA to co-located at the BLM Double H Right-of-Way Site, ROW grant number N-100843.*

Director Grantham updated the Board on the receipt of the right-of-way authorization for Eagle Creek. Commissioner Hill asked if there is any update on Sand Pass. Director Grantham replied he does not have an update, but he would reach out to staff and check on the status.

PUBLIC WORKS DEPARTMENT: Public Works Director Don Kalkoske appeared before the Commission via Teams.

GENERAL ROAD PROJECTS: A presentation by Humboldt County Public Works Director Don Kalkoske to update the Board on Road projects within Humboldt County, 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. Director Kalkoske reported on weed spraying, that preparations are beginning for the upcoming dust control program, that he will have a report as to the pavement preservation project at the next meeting and road work occurring in various areas in the County. Chairman French offered his thanks to Director Kalkoske and his crew for the work that they did on the access into Chimney Reservoir and up to the boat landing.

BUILDINGS AND GROUNDS: Chief Building Engineer Jeff Tindall appeared before the Commission.

CONTRACT TO POUR A CONCRETE VALLEY GUTTER AND RELOCATE A FIRE HYDRANT AT THE DETENTION CENTER: Consideration, discussion and possible approval of a contract with Hunewill Construction Company to pour a concrete valley gutter on the East side of the Humboldt County Detention Center and

relocate the fire hydrant that sits in the middle of the drainage system. The total expenditure is not to exceed \$10,680.00 for the concrete valley gutter and relocation of the fire hydrant out of the same Building and Grounds Special Projects Fund. The contract is pending the District Attorney's review and approval. Included on the on-line agenda were copies of the quotes received from Hunewill Construction Co. Inc. and a Staff Report detailing the process for obtaining quotes (see attached). Mr. Tindall reviewed the request for the Commission and recommended approval. The following motion was made by Commissioner Tipton and passed unanimously:

*To approve the Buildings and Grounds request as presented to contract with Hunewill Construction Incorporated to pour concrete valley gutter on the east side of the Detention Center for an amount not to exceed \$9,380.00 and to relocate the fire hydrant that sits in the middle of the drainage system in an amount not to exceed \$1,300.00 for a total amount not to exceed \$10,680.00.*

Commissioner Hoss asked about the status of the flooring project at the Detention Center. Mr. Tindall responded.

WESTERN NEVADA DEVELOPMENT DISTRICT ANNUAL MEMBERSHIP DUES: Consideration, discussion and possible approval of Western Nevada Development District (WNDD) Annual membership dues in an amount not to exceed \$10,000. Manager Mendiola reviewed the request for the Commission including that while he is concerned about this increase, he understands the benefits and explained. Commissioner Tipton agreed that this funding should be identified and then look at it in a year to see if there is a benefit. Sheryl Gonzales, Director of WNDD joined the meeting via Teams and explained that the dues are being reinstated to the level they were at in 2006, that they were reduced at that point due to the recession but were never reinstated. After discussion the following motion was made by Commissioner Tipton and passed unanimously:

*To approve the membership dues of \$10,000.00 for fiscal year 22-23 for the Western Nevada Development*

2022/23 WATER BUDGET APPROVALS FOR THREE ADDITIONAL BUDGETS FOR HUMBOLDT COUNTY: Consideration, discussion, and possible approval of three additional water budgets for the 2022-2023 fiscal year as submitted by the State Engineer in an amount not to exceed \$99,133.74. Copies of the proposed budgets for the Quinn River, the Little Humboldt and the Humboldt River were included on the on-line agenda for review. Daniel Randles with the Nevada State Engineer's Office appeared before the Commission via Teams and explained how the amounts are determined and how they are assessed. The following motion was made by Commissioner Cerri and passed unanimously:

*To approve the fiscal year 2022-2023 surface water assessments for water basins within Humboldt County in an amount not to exceed \$99,133.74.*

CHINA SPRING YOUTH CAMP FUNDING REQUEST: Consideration, discussion and possible approval of a request from China Spring Youth Camp for additional funding support in an amount not to exceed \$11,037. Included on the on-line agenda for review was a copy of the China Spring Youth Camp Funding Request for Fiscal Year 2022-2023 with proposed County stop-gap funding for Fiscal Year 2023 (see attached). Manager Mendiola reviewed the request for the Commission explaining that the County is subject to this assessment via statute but that we do not use the facility very often and issues identified with this facility and how those have been addressed; he noted that prior requests for funding that have been rejected but that this request is more reasonable as it does not change the request for this fiscal year and increases the next year's funding by only the \$11,037.00. Juvenile Director Pauline Salla appeared before the Commission via Teams and offered comments on the changes made by the facility and when the last local youths were sent to the facility. Chairman French asked Director Salla if she felt the amount requested is appropriate. Director Salla agreed that the amount is appropriate and commented on the county's commitment to help support the program as other entities utilize the facility. Commissioner Cerri asked if the amount contributed by the County and the County's usage of the facility. Director Salla responded. Commissioner Cerri voiced concerns about the amount Humboldt County has contributed with no usage. Director Salla responded noting that, when you need it, you need it and explaining what she has looked at; she noted that, until there are legislative changes to the language related to the facility's funding, we cannot opt out of the base. Commissioner Hoss commented on the potential for additional funding requests if the capacity increases. Chairman French noted that this appears to be a stop-gap measure and noted his concerns with the governor removing stating funding for the facility; he noted that this amount is far less than the original request and indicated that, if this is approved, he would not be interested in any further support. Director Salla commented that should her prior concerns with effective outcomes return, she will bring those concerns back to the Board and work towards finding a method to opt out. Commissioner Hoss noted his concern with this request. Commissioner Hill asked for clarification that this is a one-time supplement, that it will not occur going forward; he noted his trust in Director Salla that she will monitor this and keep the Commission informed that they are not wasting money on this. Commissioner Tipton asked about committing half the amount for the first six months to review what is occurring. Director Salla responded noting the ability to make this quarterly based on the billing cycle; she noted that once the transitional housing is up and running, she may be asking that the Commission determine how to opt out of this requirement to allow us to use our local resources first. Comptroller Rackley commented on what would occur with the funding if there was an opt out explaining that it would remain within the District Court funding. After discussion the

following motion was made by Commissioner Hill and passed with Chairman French and Commissioners Cerri, Tipton and Hill voting aye and Commissioner Hoss voting nay:

*To approve a request from China Springs Youth Camp for additional funding in the amount of \$11,037.00 to be paid quarterly, to be paid along with our quarterly commitment of \$60,501.00.*

HUMAN RESOURCES: Sheriff Mike Allen and Human Resources Director Abel del Real-Nava appeared before the Commission.

APPROVAL OF JOB DESCRIPTION FOR THE NEW POSITION OF SERGEANT – INVESTIGATIONS AND SALARY RANGE RECOMMENDATION: Consideration of, discussion, and possible action on a request from the Assistant County Manager/Human Resources Director for:

A) Approval of a job description for a new position in the Sheriff's Office titled "Sheriff's Sergeant – Investigations" that will be responsible for performing Sergeant grade duties in the Sheriff Office - Investigations Division. Included on the on-line agenda for review was a proposed job description for the Sheriff's Sergeant-Investigations position. Sheriff Allen offered clarification that this is not a request for a new position, but the request is for the ability to promote to this position which will have a minimal impact on the budget. Commissioner Tipton asked if the position vacated would be filled. Sheriff Allen confirmed they would back fill that position so there would not be an impact to the staffing numbers. Director del Real-Nava reviewed the request including that the final approval of this position would need to go before PERS as they have requirements for confirming that the position fits within their law enforcement designations. Commissioner Hill asked for clarification on the effect on the numbers within the Sheriff's Office and the budget impact. Sheriff Allen responded. Commissioner Hill commented that there is not an added position but there is an added cost. Chairman French asked if the added cost would be covered in the current budget. Sheriff Allen responded noting some items with the budget that he has concerns with but that he felt there may be some areas that have funding that could be utilized. Director del Real-Nava commented on the information provided and noted the difference related to worker's compensation amounts for law enforcement. Commissioner Hill asked if this would assist with aligning duties within the department. Sheriff Allen confirmed it would and explained. Discussion ensued regarding the need for continued overtime. Commissioner Tipton asked about the salary range provided. Director del Real-Nava responded and confirmed that there is no change to that range, that the salary would be determined based on who transferred into the position. After discussion the following motion was made by Commissioner Tipton:

*To approve the job description for the new Sheriff's Seargeant Investigations position as present.*

Director del Real-Nava asked if language needed to be included related to the PERS approval. Deputy

District Attorney Maddox stated that the understanding was that it had to occur so it could be included in the motion or not. Commissioner Tipton stated his motion would stand.

Commissioner Hoss asked about the effect on the budget. Sheriff Allen responded.

Chairman French called Commissioner Tipton's motion to a vote, and it passed unanimously.

B) Approval of compensation study recommendation to place the new "Sheriff's Sergeant - Investigations" position in the Humboldt County Law Enforcement Association's 430 range. The current starting salary rate for this range is \$37.17 per hour with a maximum hourly rate of \$46.44 and is the current range for the existing "Sheriff's Sergeant" position. Included on the on-line agenda for review was the compensation study and recommendations for the proposed Sheriff's Sergeant – Investigations position. No action taken on item b as it is not necessary as a study is not required as it is within the current range.

#### APPROVAL OF LETTER TO CONGRESSIONAL SUBCOMMITTEE WITH CONCERNS ABOUT ANTI-MINING BILL:

Consideration, discussion and possible approval of a letter addressed to the United States Congressional House Subcommittee on Energy & Mineral Resources regarding a new bill (Clean Energy Minerals Reform Act of 2022) introduced by House Natural Resources Chairman Raúl Grijalva (Democrat-CA) that is similar to a 2019 (anti) mining bill. The House Subcommittee on Energy & Mineral Resources will consider the bill at its May 12, 2022 hearing and concerns continue that the new bill has not considered the socioeconomic impacts on rural mining communities. A copy of the proposed letter was included on the on-line agenda for review. Manager Mendiola offered a correction to the language on the agenda stating that Chairman Grijalva is a Senator for Arizona not California noting that a member of the public had reached out regarding that correction. Debra Struhsacker appeared before the Commission (via Teams) and offered comment on the bill including what is included and what the impact of this bill would have in Nevada and Humboldt County as it would affect the ability to mine on public lands and the importance of the members of the sub-committee to hear from local governments impacted by this bill. Commissioner Hill asked if this bill targeted any specific mineral. Ms. Struhsacker responded explaining the bill's impact on current mining law. Commissioner Cerri commented on his knowledge of Chairman Grijalva and his opinion of uses of public lands; he stated that this is a horrible bill. Chairman French offered comment on actions taken by the administration to move other projects forward through the use of obscure acts to develop minerals of strategic interest to the country and then there is this coming from the other side; he commented on the importance of weighing in on this situation. Commissioner Tipton asked if the support existed in Congress to defeat this bill. Ms. Struhsacker responded noting other bills to be aware of. Discussion ensued regarding the State's Senators' stance on this bill. Commissioner Cerri noted concern with all government including the State targeting mining, noting that you can only pick on a business so

far before you destroy that business and actions like this are going to make it pretty tough for the mining industry. Chairman French asked that a copy of the letter also be sent to Humboldt County's Congressional members in both houses to let them know how we stand on this. The following motion was made by Commissioner Hill and passed unanimously:

*To approve a letter addressed to the United States Congressional House Subcommittee on Energy and Mineral Resources regarding a new bill the Clean Energy Minerals Reform Act of 2022, introduced by the House Natural Resources Chairman Raúl Grijalva, a democrat from Arizona this is similar to a 2019 anti-mining bill the House Subcommittee on Energy and Mineral Resources will consider this bill at its May 12, 2022 hearing.*

Discussion ensued regarding the ability to send letters to our congressional members.

Chairman French stated that the Commission would return to item 10 on the agenda at this time.

#### MISCELLANEOUS REPORTS AND CORRESPONDENCE:

- 1) Other information and upcoming meetings: The following meetings were noted on the agenda: May 9, 2022 Regional Airport Board Meeting, May 10, 2022 Winnemucca City Council Meeting, May 12, 2022 Regional Planning Commission Meeting and May 16, 2022 Humboldt County Commission Meeting.
- 2) Reports from Commissioners regarding other Boards and Committees on which they serve: Commissioner Hill noted an upcoming meeting of the Paradise Valley Conservation District and reported on meetings that he had with the group related to the Human Services Department and the Broadband Action Committee. Commissioner Hoss noted that his Airport Board meeting had been cancelled, reported on a Landfill Committee meeting and noted he had attended a LEPC meeting. Commissioner Tipton noted his attendance at the Landfill meeting, a hospital budget meeting and a Hospital Board meeting. Commissioner Cerri offered no report. Chairman French reported on a Public Lands Steering Committee meeting, noted the hiring of the new public lands' person for NACO and reported on a NACO Board of Director's meeting; he noted upcoming meetings.

FUTURE AGENDA ITEMS: Commissioner Hill asked for an update replacing Robin Gray and what the plans are for black fly and mosquito treatments as well as an update on the status of a Buildings and Grounds director. Manager Mendiola noted the zone change public hearing and that the budget will come back before the Commission on May 16<sup>th</sup> for final action.

PUBLIC COMMENT: Chairman French asked for public comments; none offered.

ADJOURNMENT: Chairman French adjourned the meeting at 1:03 p.m.

ATTEST: \_\_\_\_\_ APPROVED: \_\_\_\_\_  
Clerk Chairman

(Minutes approved by the Commission and signed by the Chairman on \_\_\_\_\_)

UNAPPROVED/UNOFFICIAL



**Humboldt County Board of Commissioners**  
**Monday, May 16, 2022, at 8:34 a.m.**  
**Meeting Minutes**

Those present were Chairman Jim French, Commissioners Ron Cerri, Ken Tipton (via Teams), Jesse Hill, and Tom Hoss, Deputy District Attorney Wendy Maddox, County Manager Dave Mendiola and Clerk of the Board Tami Rae Spero.

**CALL TO ORDER:** Chairman French called the regular meeting to order in the regular place of meeting at the County Meeting Room #201, Courthouse, Winnemucca, Nevada.

**STAFF REPORT:** Staff report provided to the Board (see attached).

**PLEDGE OF ALLEGIANCE:** All in attendance recited the Pledge of Allegiance.

**PUBLIC COMMENT:** Chairman French asked for public comment; none offered.

Chairman French stated that the Commission would proceed to item 13 related to Public Works.

**APPROVAL OF MINUTES:** Discussion and action on correction/approval of minutes for discussion and action on correction/approval of minutes for March 27, 2017 (Budget Hearing); April 3, 2017; May 1, 2017 (Joint); May 15, 2017; June 19, 2017; July 10, 2017; August 7, 2017 (Joint); August 21, 2017; December 11, 2017 (Joint); January 16, 2018; January 29, 2018 (Retreat); February 5, 2018; February 20, 2018; March 5, 2018; April 2, 2018 (Budget Hearing); April 9, 2018; August 6, 2018; August 20, 2018; September 17, 2018; October 1, 2018; October 15, 2018; March 18, 2019; March 25, 2019 (Budget Hearings); April 1, 2019; May 6, 2019; May 15, 2019 (Special); May 20, 2019; June 3, 2019; June 17, 2019; June 25, 2019 (Special); August 5, 2019; August 19, 2019; September 3, 2019; September 16, 2019; October 21, 2019; November 4, 2019; November 25, 2019 (Special); December 16, 2019; January 6, 2020; January 21, 2020 (Combined Regular and Retreat); February 3, 2020; March 2, 2020; March 19, 2020; April 6, 2020; April 14, 2020 (Special); April 20, 2020; May 4, 2020; June 15, 2020 (Joint); July 17, 2020 (Special Joint); July 20, 2020; August 17, 2020; August 20, 2020 (Special Meeting); September 8, 2020; September 9, 2020 (Special); September 21, 2020; September 30, 2020 (Special); October 5, 2020 (Special Joint Meeting); October 19, 2020; November 9, 2020; November 13, 2020 (Special Canvass); November 23, 2020; December 14, 2020; January 4, 2021; January 25, 2021 (Special Meeting); February 8, 2021; February 22, 2021 (Special Joint Meeting); February 22, 2021; March 22, 2021; March 29, 2021 (Budgets); April 8, 2021 (Special Meeting); June 21, 2021; July 19, 2021; August 9, 2021; August 12, 2021 (Special Meeting); August 23, 2021; September 7, 2021; September 20, 2021; November 8, 2021; and November 22, 2021; December 13, 2021; January 3, 2022; January 24, 2022 (Commission Retreat), March 7, 2022, March 21, 2022, and May 2, 2022. No minutes submitted for consideration.

**APPROVAL OF EXPENDITURES FOR HUMBOLDT COUNTY FOR MAY 2, 2022 THROUGH**

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MAY 16, 2022: The following motion was made by Commissioner Hill and passed unanimously:  
*To approve the expenditures for Humboldt County for May 2, 2022 through May 16, 2022.*

US FOREST SERVICE UPDATE: Boyd Hatch from the US Forest Service will provide the Commissioners an update on activities by USFS in Humboldt County. District Ranger Boyd Hatch with the US Forest Service provided an update to the Commission with questions answered on the Santa Rosa Rangeland Management Project – Grazing NEPA, that the decision was signed for the National Mine Exploration that is in between Eight Mile and Three Mile Canyon funding received from the Secure Rural School Resource Activity Advisory Committee and that proposals are being submitted for consideration, funding received from the Greater Outdoor Act and what those funds are proposed to be used for, the Joint Chiefs proposed projects and funding has come out with the proposal being to use that for treatment of noxious weeds in the northern part of the County, that the proposal includes restoration and what is involved with that proposal, a proposal for targeted grazing in the Paradise Valley area and what is involved and the timeline, the plan for fuel treatment dollars and interest expressed for exploration in the Spring City area by Buttermilk.

Commissioner Cerri asked that the Commission be part of the discussion on use of the America Outdoor Act funding that will be received including road work and that work on trails that were put in place in Santa Rosas which are overgrown and therefore hard to find be included. Discussion ensued regarding whether it would be the entire Commission or just a Commission representative. Chairman French suggested that a presentation be provided once a conclusion is reached as to how it will be prioritized to the Commission with a Commissioner or the County Manager serving as a representative for any discussion on the strategic plan. Mr. Hatch discussed some of the proposals already made and offered to provide information on those; he stated that he would contact Manager Mendiola regarding the matter. Ranger Hatch asked how often the Commission would want him to provide updates to the Board. Chairman French suggested twice a year unless something is coming down that he would need to provide information on. Chairman French asked about private land lease maintenance for the cabin program on the Santa Rosa District as he has had a lot of inquiries as to whether the Forest Service is going to suspend those leases as they come up or if they plan to maintain those cabins in the future or allow the public too; he also asked about cooperation between the Forest Service and the County on maintenance to keep roads accessible. Ranger Hatch agreed with the support for getting a road agreement back in place; he indicated that he would find out about the leases but to his knowledge there is no proposal for suspending those leases. Commissioner Cerri noted his increasing concern about medusa head and questioned how the Forest Service advertises to the public to notify them, if someone comes

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across it when using forest service lands. Discussion ensued.

MOSQUITO AND BLACK FLY MITIGATION UPDATE: An update regarding finding a replacement for Seven Valleys which provides the County mosquito and black fly mitigation services. Manager Mendiola reviewed the status of the search noting that the request for proposal status and the intent to discuss with the City this week and get the request out in June with responses received by July and the plan for working with the current provider when a new provider is selected. Chairman French asked about the inclusion of Mormon cricket/grasshopper control into this plan. Manager Mendiola responded. Commissioner Hoss asked about the budget status for this plan. Manager Mendiola responded. Commissioner Hoss noted the importance of looking at this from the budget side with the increase in costs. Commissioner Hill asked if the plan is to look at a third party as opposed to doing it in-house. Manager Mendiola responded. Commissioner Tipton commented offering caution on combining the mosquito/black fly service and the Mormon Cricket/grasshopper services noting issues that could arise. Based on a query from Chairman French, Manager Mendiola gave an update on the status of the State's plan for combating the cricket/grasshopper situation.

TREASURER: Treasurer Rhona Lecumberry appeared before the Commission.

THE RETURN OF SALE RESOLUTION Consideration, discussion, and possible approval of the following:

Return of Sale Resolution and Auction Results based on the results of the public auction held on April 22, 2022. The described real property held by Rhona Lecumberry, as County Treasurer and Ex-Officio Tax Receiver of Humboldt County, Nevada was sold to the persons or entities listed for the total of \$152,000. After taxes, penalties and fees, the total amount of excess proceeds eligible for claim is \$117,597.60. Included on the on-line agenda for review was a copy of the proposed resolution and a break out of the auction results (see attached). Treasurer Lecumberry reviewed the request for the Commission noting that all but three properties sold, with those three being located in Golconda; she reviewed the sale amounts and explained how the funds are retained. The following motion was made by Commissioner Cerri and passed unanimously:

*To approve the Return of Sale Resolution for the 2022 Humboldt County Delinquent Tax Sale.*

*(Resolution No. 05-16-22)*

NEW CREDIT CARD HOLDERS: Consideration, discussion, and possible approval of the following: To allow four individuals to be given authorization as WellsOne Commercial Credit cardholders: Don Kalkoske, Public Works; Tami Spero, County Clerk; Michael Macdonald, District Attorney, \$1,500 limit; and/or Abel del Real-Nava, Assistant County Manager: Treasurer Lecumberry reviewed the request for the Commission noting that the new program the County is

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transitioning to requires ten users; she noted what she had looked at in determining which offices should have cards assigned and discussion ensued. After discussion the following motion was made by Commissioner Cerri and passed unanimously:

*To allow Don Kalkoske, Public Works, Tami Spero, County Clerk and Abel del Real-Nava that they be given authorization as WellsOne commercial credit cardholders with a limit of \$1,500.00 per card.*

That the Buildings and Grounds card be issued to Jeff Tindall: Treasurer Lecumberry reviewed the request for the Commission. The following motion was made by Commissioner Hill and passed unanimously:

*To reassign the Building and Grounds card and reissue it to Jeff Tindall.*

ASSESSOR: Assessor Andy Heiser appeared before the Commission

REQUEST TO DONATE LARGE FORMAT PRINTER AND SCANNER TO THE CITY OF WINNEMUCCA: Consideration, discussion and possible approval to authorize the Assessor's Office to donate an older model large format printer and scanner to the City of Winnemucca, pursuant to NRS 332.185 as the property is no longer required for public use and in the best interests of the county. Assessor Heiser reviewed the request for the Commission. The following motion was made by Commissioner Hill:

*To donate a printer/scanner to the City of Winnemucca as NRS 332.185 allows for this to happen.*

Deputy District Attorney Maddox asked that language be included in the motion to indicate that the property is no longer required for public use and is in the best interests of the county. Commissioner Hill offered the following amended motion:

*To donate a printer/scanner to the City of Winnemucca as NRS 332.185 allows for this to happen and that the property is no longer required for public use and is in the best interests of the county.*

Commissioner Hoss asked what is allowed under this statute for donations by the County. Assessor Heiser responded. Chairman French called Commissioner Hill's motion to a vote and it passed unanimously.

PLANNING:

SET TO PUBLIC HEARING: ZONE CHANGE REQUESTS SUBMITTED BY THE REGIONAL PLANNING DEPARTMENT: Consideration, discussion and possible action to set to Public Hearing the following:

A) RH-22-07 – Zone Change request submitted by Regional Planning Commission on behalf of McDermitt Fire Protection District to change the C (Commercial) zoning designation to P-F (Public Facility) zoning designation. Subject property is located at 175 US Highway 95 McDermitt, NV; assessor's parcel #03-0599-04. Chairman French read the title of the item to be set to public

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hearing. The following motion was made by Commissioner Hill and passed unanimously:

*To set to public hearing RH-22-07 with the Clerk to set at a time to be determined.*

B) RH-22-08 – Zone Change request submitted by Regional Planning Commission on behalf of Stor-All, LLC to change the C (Commercial) zoning designation to GC (General Commercial) zoning designation. Subject property is located at 3395 T Quarter Circle Road; assessor's parcel #10-0091-13. Chairman French read the title of the item to be set to public hearing. The following motion was made by Commissioner Hill and passed unanimously:

*To set to public hearing RH-22-08 with the Clerk to set at a time to be determined.*

C) RH-22-09 – Zone Change request submitted by Regional Planning Commission on behalf of Pat Scibior to change the C (Commercial) zoning designation to NC-R (Neighborhood Commercial/Rural District) zoning designation. Subject property is located at 3905 W Winnemucca Boulevard; assessor's parcel #10-0091-15. Chairman French read the title of the item to be set to public hearing. The following motion was made by Commissioner Hill and passed unanimously:

*To set to public hearing RH-22-09 to be set by Clerk to public hearing at a time to be determined.*

D) RH-22-10 - Zone Change request submitted by Regional Planning Commission on behalf of Pat Scibior to change the C (Commercial) zoning designation to GC (General Commercial) zoning designation. Subject property is located off W Winnemucca Boulevard; assessor's parcel #10-0091-14. Chairman French read the title of the item to be set to public hearing. The following motion was made by Commissioner Hill and passed unanimously:

*To set to public hearing RH-22-10 to public hearing to be set by County Clerk at a time to be determined.*

Chairman French noted that it was not yet 10:30 which is the time set for the next item which is a public hearing so the Board would move to item 12 on the agenda.

COMPTROLLER: Comptroller Gina Rackley appeared before the Commission.

10:30 A.M. PUBLIC HEARING:

FISCAL YEAR 2022-2023 FINAL BUDGETS: Consideration, discussion, and possible changes to the fiscal year 2022-2023 Tentative Budgets for Humboldt County and possible approval of the Fiscal Year 2022-2023 Final Budgets for Humboldt County. Public Hearings will also be conducted simultaneously on the Denio TV District, Golconda Fire District, Golconda Water District, Humboldt Fire District, Kings River General Improvement District, McDermitt Fire District, McDermitt General Improvement District, Orovada Community Services District, Orovada Fire District, Orovada General Improvement District, Orovada Rodent Control District, Paradise Valley Fire District, Paradise Valley Sewer District, Paradise Valley Weed Control District, Pueblo Fire

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District, Quinn River TV District, and Winnemucca Rural Fire District. Chairman French read the title of the item set to public hearing. Comptroller Rackley reviewed the request for the Commission; she offered comment that the Building Reserve Fund may be the better place to budget for the courthouse project given its flexibility and based on a prior legal opinion provided by District Attorney Macdonald when he was a Deputy District Attorney. Chairman French noted that the more flexibility that can be put into the budget is better. Discussion ensued regarding the Board's agreement with the need for flexibility. Comptroller Rackley asked for confirmation that the Board's direction is to move the two million from Capital Projects into Building Reserve along with the moving the one million PILT transfer as well. Discussion ensued regarding the fund balance for the Capital Projects Fund. District Attorney Macdonald appeared before the Commission noting that he has not completed his review of the prior opinion as to any updates, but he does intend to do so before the special meeting on Thursday; he commented on how the Commission has handled these issues in the past but noted his support for following the recommendation of our auditors as well as designating the two funds separately. Discussion ensued as to outstanding items such as salary negotiations and insurance costs. Chairman French asked for public comment; none offered. Chairman French suggested that the budget be adopted as presented as any big items will need to come back before they can occur and the budget can be reviewed at that time. After discussion the following motion was made by Commissioner Hill and passed unanimously:

*To adopt the 2023 final budget as presented including moving \$2,000,000.00 out of the Capital Improvements Fund to the Building Reserve Fund including \$1,000,000.00 of PILT funds transferring to the Building Reserve Fund.*

Chairman French thanked Comptroller Rackley, Manager Mendiola and Auditors Drake Rose for their work with this. Comptroller Rackley noted her appreciation to those that had assisted with the process.

#### RESOLUTIONS TO ADOPT TAX RATES:

A) Consideration, discussion, and possible adoption of a Resolution levying the Tax Rates required for Humboldt County for the 2022-2023 Fiscal Year. A copy of the proposed resolution was included on the on-line agenda for review. The following motion was made by Commissioner Cerri and passed unanimously:

*To approve the fiscal year 2022-2023 fiscal year tax rate resolution.*

*(Resolution No. 05-16-22a)*

B) Consideration, discussion, and possible adoption of a Resolution levying the Tax Rate required for the 2022-2023 Fiscal Year for the Cooperative Extension Fund. A copy of the proposed

resolution was included on the on-line agenda for review. Comptroller Rackley reviewed the request for the Commission. Commissioner Hill offered the following motion which passed unanimously:

*To adopt the Resolution levying the tax rate for the 2022-2023 fiscal year for the Cooperative Extension Fund.*

*(Resolution No. 05-16-22b)*

Chairman French stated that that the Board would proceed to item 19 on the agenda at this time. FINANCIAL REPORT: Humboldt County Comptroller Gina Rackley will provide an overview of current conditions with respect to Humboldt County revenues and expenditures for fiscal year 2022 (July 1, 2021 through June 30, 2022), including an update on the American Rescue Plan Act (ARPA). Comptroller Rackley reported on the status of the ARPA funding including the second round of funding and the County's application for that and the status of projects at Kings River and Denio.

PUBLIC WORKS DEPARTMENT: Director Don Kalkoske appeared before the Commission.

REQUEST TO PURCHASE TWO CURRENTLY LEASED PICKUPS: Consideration, discussion and possible approval of a request to purchase two currently leased 2017 F250 pickups from Enterprise Fleet Management in an amount not to exceed \$30,000. Director Kalkoske reviewed the request for the Commission noting that these are due to be turned over in October and commented on his concerns related to obtaining any other vehicles to replace them; he stated that he had funds in the current budget to cover the cost. Discussion ensued regarding the mileage and why paying these vehicles out now is a benefit financially. The following motion was made by Commissioner Cerri and passed unanimously:

*To purchase two currently leased 2017 F250 pickups from Enterprise Fleet Management in an amount not to exceed \$30,000.00.*

2022 PAVEMENT PRESERVATION PROJECT: Consideration, discussion and possible approval of the 2022 Pavement Preservation Project, which includes chip seal and/or slurry seal of select asphalt concrete roads within the county. Budgetary approval for the 2021/2022 RTC budget was \$1,250,000 for this project. Director Kalkoske reviewed the request for the Commission. Discussion ensued regarding the total cost of the project. The following motion was made by Commissioner Hill and passed unanimously:

*To approve the chip seal, slurry seal project in the amount of \$804,925.00 for Sierra Nevada Construction.*

GENERAL ROAD PROJECT: A presentation by Humboldt County Public Works Director Don Kalkoske to update the Board on Road projects within Humboldt County, 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. Director Kalkoske reported that the department is preparing for the dust control project and is almost done with the water tank project at the Paradise Valley Fire House.

Chairman French asked for an update on the status of the BLM roads going into Knott Creek and Onion Reservoir noting the needed road work on those roads. Director Kalkoske responded explaining that he had brought it up at a meeting but the individuals with knowledge were not present so there was no real response. Chairman French questioned whether the roads will be passable and noted his concerns with them being treacherous; he observed that the BLM used to contract with the County to do the roads; he questioned whether a letter from this Board requesting work on these roads would be proper and suggested that the issue needs to be agendized.

Lorne Lyon offered public comment on a bridge on Lambert Drive and the damage that magnesium chloride and an overabundance of gravel on it are causing, as it was not designed for the weight; he noted his concern that the County will end up having to replace it.

Commissioner Hoss asked if the department's budget is able to deal with the increase in costs. Director Kalkoske noted his concern with fuel prices explaining that he had increased the amount in the current budget but that he is not sure if the amount is going to be sufficient. Deputy District Attorney Maddox noted that discussion related to the budget is set for public hearing at 10:30 a.m. so her suggestion would be if the Board wants to discuss this further that it should occur then. Discussion ensued regarding the fuel costs increase and the impact on the current budget. Chairman French stated that the Board would now return to item 4 on the agenda as it is time for the public hearing.

SHERIFF'S OFFICE: Captain Sean Wilkin appeared before the Commission.

REQUEST TO INSTALL A PERIMETER FENCE AROUND THE DETENTION CENTER: Consideration, discussion and possible approval to have Artistic Fencing install a higher perimeter fence to replace the current 6-foot-high fence and to secure the delivery area at the Detention Center, in an amount not to exceed \$27,000. Included on the on-line agenda for review were copies of the quotes received from Artistic Fence Co., Inc. in the amount of \$21,984.00 and General Fence in the amount of \$26,500.00. Captain Wilkin reviewed the request to the Commission. The following motion was made by Commissioner Hill:

*To approve the Artistic Fencing bid to install a higher perimeter fence around the Detention Center and the delivery area in an amount not to exceed \$27,000.00.*

Commissioner Hoss asked if this amount was budgeted for. Captain Wilkin confirmed it

is. Chairman French called Commissioner Hill's motion to a vote and it passed unanimously.

LIQUOR BOARD: Captain Wilkin convened the County Liquor Board at 9:52 a.m.

Captain Wilkin reviewed the following renewals for the third quarter and recommended approval - Barry Wilkinson & Norman Calhoun, J. Kennedy & D. Acorda, Ted Rookstool, Giovanni & Shannon Giordano, Parmjit Singh, Nola Thomson, Jeffery Siegel, Micaela Fregoso, Kirandeep Kaur, Joginder Lal, Mateo Brambila, Chloe Dufurrena, Page Anderson and Abby Thacker. The following motion was made by Commissioner Cerri and passed unanimously:

*To approve the third quarter liquor licenses as presented.*

Captain Wilkin reviewed the Liquor License to be removed for Georgina Perry. The following motion was made by Commissioner French and passed unanimously:

*To remove one liquor license for Georgina Perry.*

Captain Wilkin reviewed the two Special Event Liquor License requests on behalf of Paradise Valley Fire Department by Kevin Pasquale for Run-A-Mucca on 05/28/2022 and the Paradise Valley Fireman's BBQ on 06/19/2022 and recommended approval. The following motion was made by Commissioner Cerri and passed unanimously:

*To grant the request by Kevin Pasquale for the two events for Run-A-Mucca on behalf of the Paradise Valley Fire Department.*

Captain Wilkin reviewed a Special Event Liquor License on behalf of Northern Nevada Racing Association by Natalie Betschart for Good Times Drag Strip 2022 events and recommended approval. The following motion was made by Commissioner French and passed unanimously:

*To accept the special event on behalf of Northern Nevada Racing Association by Natalie Betschart for Good Times Drag Strip 2022 events.*

Captain Wilkin noted that a Special Event Liquor License was issued for NNRA to Natalie Betschart by Sheriff Allen, for April 30, 2022 as the application was received on 04/19/2022 and per HCC 5.32 Liquor Licenses D. Temporary License – Sheriff may issue temporary license in special circumstances and in order to prevent undue hardship to an applicant. Based on a question from the Liquor Board, Deputy District Attorney Maddox indicated that no action is required on this item, it is informational only. No action taken.

Captain Wilkin adjourned the County Liquor Board meeting at 9:56 a.m.

Chairman French recessed the meeting at 9:56 a.m. reconvening at 10:01 a.m.

BUILDINGS & GROUNDS: Chief Building Engineer Jeff Tindall and Manager Mendiola appeared on behalf of the Department.

REQUEST TO APPROVE CONTRACT TO CONDUCT ASBESTOS ABATEMENT:

Consideration, discussion and possible approval of a contract with Advance Installations to 05/16/2022

conduct the asbestos abatement at the residence located at 537 Melarkey Street and the Quonset Hut located at 3185 Bengochea Circle. Abatement work for the residence at 537 Melarkey Street is in an amount not to exceed \$3,980.00. Abatement work for the Quonset Hut located at 3185 Bengochea Circle is in an amount not to exceed \$9,398.00, for a total amount not to exceed \$13,378.00. Manager Mendiola reviewed the request for the Commission noting that due to prior and current projects being handled by Advance Installations for the County this project was not put out for proposal or bid. Mr. Tindall offered comment. After discussion the following motion was made by Commissioner Hill and passed unanimously:

*To approve a contract with Advanced Installation to conduct asbestos abatement at the residence located at 537 Melarkey Street and the Quonset hut at 3185 Bengochea Circle, for the residence at 537 Melarkey Street in an amount not to exceed \$3,980.00, for abatement work for the Quonset hut in an amount not to exceed \$9,398.00 for a total amount not to exceed \$13,378.00.*

**BUILDINGS & GROUNDS DIRECTOR UPDATE:** An update regarding efforts to fill the Buildings and Grounds Director position. Human Resources Abel del Real-Nava appeared before the Commission and offered an update on the status of this position including the plan to review the job classification for this position as well as other positions within the department; he reviewed the time line for this occurring. Discussion ensued. Commissioner Hill stated his support for promoting from within if an individual has the skill set. Commissioner Cerri asked for clarification as he had thought the review was just for the director position but sounds like all the positions are being looked at. Director del Real-Nava confirmed that was the case as it is an opportunity to look at the positions and fix some issues. Discussion ensued regarding how the department management is being covered and what is occurring with that and the time frame for completing this process. Based on a question from Commissioner Hoss, Director del Real-Nava reviewed what the issues are with the current job descriptions for the department. Manager Mendiola reviewed the plan with the current employees who are handling the daily duties and the time frame for that.

**TECHNOLOGY SERVICES DEPARTMENT:** Technology Services Manager Mike DeTullio and Manager Mendiola appeared before the Commission.

**UNION PACIFIC RAILROAD TOWER AGREEMENT:** Consideration, discussion and possible approval of the following: Request for the Chairman or Vice-Chairman to sign a Site License Agreement for Radio Communication Facility on Winnemucca Mountain between Humboldt County and Union Pacific Railroad. Upon approval and signature by both parties, Union Pacific will provide payment to the County in the amount of \$71,010 for the first year and \$73,140 for year two. In addition, the Agreement calls for the reimbursement of \$182,557.87 for the purchase

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of antennas and mounts, and for the installation and testing of the equipment. In total, UP will submit payment of \$326,708.17. The Agreement calls for a 3% increase in each year of the 5-year term. Included on the on-line agenda for review was a copy of the proposed Site License Agreement between Humboldt County and Union Pacific Railroad. Manager DeTullio spoke in support of the request. Manager Mendiola reviewed the history of this process and the pricing plan noting why the lease amount is less than what could be requested noting that this is a critical public safety piece and explained. Discussion ensued regarding who maintains the equipment, access to the site, that there is a separate shelter for them so they cannot access the County's shelter on the site, that the County wanted to do the this so one company would do the entire installation so things remained on the same page, that there are three shelters on the site one for UP, one for the generator and one for the County and other entities, how the generator is used as it is for the entire site and who is responsible for it, that there is a separate revenue account for these funds, what the funds can be used for and the obligation for the County to keep the road open for their access at all times and that a separate agenda item will be set for the funding and what it may be used for and how access will be maintained. After discussion the following motion was made by Commissioner Hill:

*To have the Chairman or Vice-Chairman sign a site agreement for radio communication facility on Winnemucca Mountain between Humboldt County and Union Pacific Railroad upon approval and signature by both parties Union Pacific will provide payment to the County in the amount of \$71,010.00 for the first year and \$73,140.00 for year two; in addition, the agreement calls for reimbursement of \$182,557.87 for the purchase of antennas and mounts and for the installation and testing equipment, in total Union Pacific will submit \$326,708.17. This agreement calls for a three percent increase in each year of the five-year term.*

Commissioner Hoss asked when the agreement begins. Manager Mendiola responded that it will be retroactive to November of 2020. Chairman French called Commissioner Hill's motion to a vote, and it passed unanimously.

**PILGRIM RADIO AGREEMENT:** Consideration, discussion and possible approval of the following: Request for the Chairman or Vice-Chairman to sign a Site License Agreement for Radio Communication Facility on Winnemucca Mountain between Humboldt County and Pilgrim Radio. Reimbursement will be paid to the County in the amount of \$400.00 for the purchase, testing and installation of antennas and mounts. Pilgrim Radio will also pay an annual license fee of \$1,800.00 for year one and \$1,854.00 for year two. The Agreement calls for a 3% increase every year of the 5-year term. Included on the on-line agenda was a copy of the Site License Agreement between Humboldt County and Western Inspirational Broadcasters, inc. dba Pilgrim Radio/KNIS. Manager

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Mendiola reviewed the request for the Commission. Commissioner Cerri asked for clarification as to what happens after year two. Manager Mendiola responded. The following motion was made by Commissioner Cerri and passed unanimously:

*To approve the Technology Services Department request as presented and for the Chairman to sign a site license agreement for radio communication facility on Winnemucca Mountain between Humboldt County and Pilgrim Radio.*

EAGLE CREEK UPGRADE: Consideration, discussion and possible approval of the following: Request to approve proposals from Harney Electric Cooperative, Inc. and Curtis Machinery, Inc. to make additional power upgrades at Eagle Creek Communication Site in an amount not to exceed \$48,819.00. Curtis Machinery, Inc. will be responsible for dredging approximately 2,000 feet for the placement of conduit and electric cable to the site in an amount not to exceed \$14,125.00 Harney will be responsible for installing a new 50kva, 120/240 volt-pad mounted transformer in an amount not to exceed \$34,694.00. Manager DeTullio reviewed the request for the Commission. After discussion the following motion was made by Commissioner Cerri and passed unanimously:

*To approve the Technology Service request as presented to contract with Harney Electric Cooperative, Inc. and Curtis Machinery, Inc. in an approximate total amount of \$48,819.00 to make additional upgrades to the power at Eagle Creek communication site.*

Chairman French stated that the Commissioner would return to the item 11 on the agenda for public hearing at 10:39 a.m.

COUNTY MANAGER: Manager Mendiola and Human Resources Director Abel del Real-Nava appeared before the Commission.

REQUEST TO WAIVE THE ATTRITION POLICY TO RECRUIT FOR THE POSITION OF ALTERNATE PUBLIC DEFENDER: Consideration, discussion and possible approval of a request from the County Manager to approve a waiver of the attrition policy to allow for the recruitment of an Alternate Public Defender. The position became vacant on May 3, 2022 following the resignation of the previous incumbent. Manager Mendiola reviewed the request for the Commission. Director del Real-Nava noted the status of the recruitment notice. The following motion was made by Commissioner Cerri and passed unanimously:

*To approve the request for waiving the attrition policy for recruitment for the position of the Alternate Public Defender.*

Commissioner Hill noted his support of the opening of the recruitment prior to approval with language stating that it is pending approval of the Commission as it speeds up the process.

DISTRICT ATTORNEY: District Attorney Michael Macdonald appeared before the Commission.

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REQUEST TO WAIVE THE ATTRITION POLICY TO HIRE A DEPUTY DISTRICT ATTORNEY: Consideration, discussion and possible approval to waive the attrition policy to hire for a Deputy District Attorney position. District Attorney Macdonald reviewed the request for the Commission. The following motion was made by Commissioner Cerri and passed unanimously:

*To waive the attrition policy and all the District Attorney's Office to begin recruiting an attorney for the Deputy District Attorney position.*

REQUEST TO REVISE THE COMMISSION CALENDAR TO REMOVE JUNETEENTH AS A PAID HOLIDAY: Consideration, discussion, and possible approval of the following: Pursuant to NRS 236.015, a request to revise the 2022 County Manager's Calendar of Events to remove Juneteenth as a paid holiday to align with current state statutes, and to authorize County offices to be open on this day. Manager Mendiola reviewed the request for the Commission. Deputy District Attorney Maddox commented on how the day was enacted by Congress not the President. The following motion was made by Commissioner Cerri and passed unanimously:

*To approve to revise the 2022 county calendar to reflect that offices will be open June 20, 2022.*

TO MOVE THE COMMISSION MEETING TO JUNE 20, 2022: Consideration, discussion, and possible approval of the following: A request to conduct the County Commission Regular Meeting on June 20, 2022 instead of June 21, 2022. The following motion was made by Commissioner Cerri and passed unanimously:

*To adjust the county calendar to change our County Commission regular meeting to June 20, 2022 instead of June 21<sup>st</sup>.*

#### MISCELLANEOUS REPORTS AND CORRESPONDENCE:

1) Other information and upcoming meetings: The following meetings were noted by Chairman French - June 6, 2022 Humboldt County Commission Meeting, June 7, 2022 Winnemucca City Council Meeting, June 9, 2022 Regional Planning Commission Meeting and June 13, 2022 Winnemucca Municipal Airport Meeting.

2) Reports from Commissioners regarding other Boards and Committees on which they serve: Commissioner Hill offered no report. Commissioner Hoss reported on an airport board meeting, his attendance at a City Council meeting related to the property behind the Museum, a Museum Board meeting, his participation in the introduction of a new use-of-force simulator obtained by the Sheriff's Office, an upcoming meeting related to the courthouse renovation and his attendance at a recital which involved a number of young people for which he offered a shout out to Theresa Mavity for that. Commissioner Tipton offered no report due to being out of town but noted that law enforcement negotiations are occurring tomorrow which he will attend via Teams due to illness but that the Board may want to include another member. Commissioner Cerri reported on

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a zoom call with Andy Rieber regarding our land use plan involving law enforcement and land acquisition. Chairman French reported on a State Public Lands Steering Committee meeting and an upcoming Western Interstate Region meeting that he will be attending. Discussion ensued regarding Chairman French's reported items.

FUTURE AGENDA ITEMS: Manager Mendiola noted the public hearings schedule today, consideration of a letter to the BLM related to road maintenance specifically around Knott Creek and Onion Valley, a follow-up with Boyd Hatch on grant funding for projects and to arrange for a meeting to report to the Commission. Chairman French noted his involvement in this funding project and an upcoming meeting, so he suggested follow-up with Mr. Hatch is not necessary yet. Manager Mendiola continued noting an item related to the Land Use Plans mentioned by Commissioner Cerri which will come before the Commission on June 6th. Commissioner Hoss asked for an item related to the possible Gold Country Water consolidation with Star City. Manager Mendiola explained his intent to obtain a list of what will be involved in the process and what information needs to be brought to the Commission for consideration. Commissioner Hoss asked for a report on the Star City system and how it is doing, noting what was indicated in the audit about the need to look at the funds. Manager Mendiola commented on the funding available including what can be sought from the State Revolving Fund. Commissioner Hoss asked about the Smart from the Start in the energy plan. Manager Mendiola responded. Chairman French offered comment.

PUBLIC COMMENT: Chairman French asked for public comment; none offered.

ADJOURNMENT: Chairman French adjourned the meeting at 11:51 p.m.

ATTEST: \_\_\_\_\_ APPROVED: \_\_\_\_\_  
Clerk Chairman

(Minutes approved by the Commission and signed by the Chairman on \_\_\_\_\_)



**Humboldt County Board of Commissioners  
Monday, September 19, 2022, at 8:38 a.m.  
Meeting Minutes**

Those present were Chairman Jim French, Commissioners Ken Tipton, Jesse Hill (left meeting at 10:30 a.m. and rejoined via Teams at 10:35 a.m. he lost connectivity at certain points in the meeting and did not participate in all votes) and Tom Hoss, Deputy District Attorney Wendy Maddox, County Manager Dave Mendiola and Clerk of the Board Tami Rae Spero. Commissioner Ron Cerri was not in attendance.

CALL TO ORDER: Chairman French called the regular meeting to order in the regular place of meeting at the County Meeting Room #201, Courthouse, Winnemucca, Nevada.

STAFF REPORT: Staff report provided to the Board (see attached).

PLEDGE OF ALLEGIANCE: All in attendance recited the Pledge of Allegiance.

PUBLIC COMMENT: Chairman French asked for public comment. Ryan Collins representing Blue Mountain Ranches appeared before the Commission and offered public comment related to the conditions of Jungo Road requesting paving to the mine, issues with a property that was foreclosed on and access by individuals to that property who removed items but left the trash, lack of law enforcement coverage on the road, speeding by the trucks, theft in the area and lack of law enforcement response, concerns about his safety and others due to the trucks on the road. Chairman French suggested that he should submit the specific issues with the road to the County Manager and discuss the other complaints with the new Sheriff. Commissioner Hoss asked which area was being discussed. Chairman French noted that it was Jungo. No further public comment was offered.

Chairman French stated that the Commission would move to item 5 on the agenda as the next item is time specific.

9:00 A.M. PUBLIC HEARING: PARADISE VALLEY GYMNASIUM CONDITIONAL USE PERMIT AMENDMENT APPEAL FILED BY MIKE AND TINA GAST: Consideration, discussion and possible action regarding an appeal filed by Mike and Tina Gast of a decision entered by the Regional Planning Commission approving a Conditional Use Permit Application (CUP), UH-22-09, at their July 14, 2022 regular meeting which amended CUP UH-15- 08 to allow for additional uses at the gymnasium. Subject property is located at 110 W. Bridge Street, Paradise Valley, Nevada; Assessor's Parcel Number 04-0531-26. Included on the on-line agenda for review was a copy of the Notice of Public Hearing, a copy of the Notice of Appeal letter submitted by Mike and Tina Gast, the Review packet for UH-22-09 submitted by the Planning Department including the minutes from the July 14, 2022 RPC meeting at which the permit was approved, correspondence received regarding the meeting by the Planning Department, the Planning Department Staff Report, Notice information from the Planning Department and a copy of the

Conditional Use/Special Use Permit Application Form submitted by Paradise Valley Community Inc. on May 24, 2022, copies of public comments offered by Damon L. Booth, William & Joyce Edwards, Doug Ferrari and the Paradise Valley Community Inc. by Tim Chabot, President (see attached). Chairman French read the title of the item set to public hearing. Deputy District Attorney Wendy Maddox explained the process for a trial de novo and reviewed the statutory language for what the Commission would be doing; she noted the need to include any written public comments as part of the minutes. Clerk Spero identified the written comments currently received. Clerk Spero asked about the need to swear witnesses. Deputy District Attorney Maddox responded that would not be necessary. Appellants Tina and Mike Gast appeared before the Commission and reviewed their appeal to the application for the Conditional Use Permit to allow for additional uses of the current gymnasium building with their main concerns including the effect upon that number seven condition of the permit which says that you will not interfere with the peace, contentment and general welfare of the area which was a bone of contention during the first go round; another issue is originally the approval was for a gymnasium as they could not meet certain standards for a community hall yet the Planning Commission approved the amended application to allow for additional uses, which in her mind, puts that building into category of a community hall; she noted the uses approved and the prior concerns that, while this was always presented as a gym, this would be incrementally morphed into a community hall though it was approved as a gymnasium; she continued commenting on their concerns with parking and fire safety, that the peace, contentment and general welfare of the area have been adversely effected, that the fire lane has turned into short cut as well as trailers parking in it; that while they want people to enjoy the area the combination of the RV Park and gym on the fire lane have impacted their ability to enjoy their backyard; that the noise of the ATVs and motorcycles is amplified by bouncing off the wall of the building; that people are traveling down fire lane; that the map shows the property line is right there and the fire lane abuts their property; that they can hear the sounds from the building within their home; that they attempted to offer suggestions for mitigation but responses were snarky; she noted that they have had the home for 35 years. Commissioner Hoss asked Mrs. Gast to identify their property on the image displayed on the Commission screens; Mrs. Gast responded. Mrs. and Mr. Gast offered comments on the fire lane usage by RVs pulling into the RV park. Mrs. Gast offered comments on the application which indicated that there would be no adverse effects and that they were identified as absentee owners, which she does not understand; she commented on her concerns and the rift that it has caused, the impact on parking and the noise levels for events that are occurring. Chairman French stated, for the record, that some of the mitigation that was requested on behalf of the Gasts was made to him,

asking that he look at some of the options to try and mitigate some of the impacts to their home but those have been largely unsuccessful on his side as well; that he hopes that we are here today as good neighbors, that he tries to place himself in the position of the people when he receives these types of requests and he understands that the community has an interest in the building and the building, by all accounts, seems to be well used but he thinks it is important that the private property owners that are adjacent to it are heard as well; he continued stating that he was here for the initial public hearings, including in Paradise, where they talked about the issues on the table at the time and tried to mitigate the issues at the time, as the State fire marshal had concerns as to the sprinkler system in the building; that he was told that with the initial application for the building the recommendation was to identify it as a gymnasium rather than multi-purpose building or community hall for the purpose of trying to comply with some of the regulations regarding parking and the need for a sprinkler system in the building; that he had toured the building and noticed that it was plumbed for the sprinkler system and he had asked about that and had been told that somewhere down road they hoped to utilize the kitchen so money had been spent on it though it was recognized that the water source to charge the system would be a challenge; he commented that based on the discussion it was obvious that the building was being thought of as a community hall; that many on the Board at the time as well as those in the community felt that eventually discussion would occur about uses of the building as other than a gym. Mrs. Gast commented that, as a condition of the new application, the Commission would need to approve a variance related to the less than required parking spaces and stated her concerns that the twenty-four parking spaces are not sufficient; she encouraged the Commission to not approve the variance. Deputy District Attorney Maddox asked, as this is a trial de novo, that the Chairman take testimony from the applicants prior to public comment. Chairman French confirmed they could do that side as well and asked for confirmation that Betty Lawrence from the Planning Department was present. Planning Department Senior Technician, Betty Lawrence, confirmed that she was in attendance via Teams. Tim Chabot, President, and Alicia Heiser representing the Paradise Valley Community, Inc. (PVCi) appeared before the Commission. Mrs. Heiser addressed the Commission explaining that PVCi is a 501C3 non-profit organization and stating, for the record, that in accordance with PVCi's articles of incorporation, the PVCi Board or Community Board represents the best interests of the entire population of Paradise Valley including Paradise Town proper. Mrs. Heiser continued reading a letter from Paradise Valley Community, Inc. to the Humboldt County Board of Commissioners dated September 5, 2022 (see attached) and summarized the Technical Supplement (see attached) including language contained in Humboldt County Code related to Chapter 17.44 M-3 Open Land Use District and Chapter 17.060 Off-

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Street Parking and Loading Regulations; the International Building Code Chapter 3.03 Building Occupancy and Classification for Use and Section 903 Automatic Sprinkler systems; International Fire Code Appendix B Fire-Flow Requirements for Buildings and Section B103 Modifications; NFPA 1142 Standard on Water Supplies for Suburban and Rural Firefighting Chapter 3 Definitions, Chapter 4 Calculating Minimum Water Supplies, Section 4.2 Structures Without Exposure Hazards, 4.6 Water Delivery Rate to Fire Scene; and Water Supply and Delivery for Minimum and Maximum Fire Events; she reviewed each of these sections as it related to the building being discussed. Mrs. Heiser stated that based on everything included she believes they have addressed the concerns related to parking and to fire response noting that the intent is to submit this fire plan to the State Fire Marshall for formal approval. Mrs. Heiser asked Deputy District Attorney Maddox if there is any type of activity that cannot be held in a gym or any law that restricts certain activities in a gym. Deputy District Attorney Maddox stated that she is not aware of any law that restricts activities in a gymnasium; that ultimately it is just up to what has been done here, which is an application for a conditional use permit for additional uses. Chairman French commented on the maximum occupancy rate of 299 which is one person under the maximum occupancy allowed and noted that is where the rub came in before with using it as multiple use building as the 299 is based on use as a gymnasium though he stated his understanding of why that number was used. Mrs. Heiser responded that the maximum occupancy is 299 no matter what event is held in the building. Chairman French continued stating that the concern was with sizing the building to meet code requirements as opposed to the needs of the community; he continued stating his concern about the parking situation as that has not been addressed, as it will require the Commission to approve a variance concern at beginning of this process how parking would impact the surrounding area. Mrs. Heiser asked about the variance being required as the facility currently meets the code. Deputy District Attorney Maddox responded if it is identified as a gymnasium, then no variance is required. Mr. Chabot explained that the group did not want to change the building from a gym but explained the concerns with current community hall and the ability to use it if needed; that they want to pursue the fire protection issues as that will benefit the community as a whole, that it would allow the community to keep using the current hall with this building just taking the overflow as needed as they don't want to rent out for everything, it is a gym for the kids. Commissioner Hill commented that the facts are that this building is a gym, and they are not asking to change that and that he doesn't see any facts that say this will adversely impact neighbors; he explained why it should be used for other events as the intent of the building is to provide a service to the community. Commissioner Hoss stated that the addition of the gym was great thing and to utilize the building for Paradise Valley is a great thing but they should

not bring in other stuff as he doesn't believe it is necessary to bring events from out of the area but this building can be utilized very well by the community, that the information provided related to fire issues has been shown as to what needs to be utilized and the requirements are met but noted the need to meet the occupancy requirement.

Commissioner Tipton stated that he believes there has been a lot of stuff put out to today with some of it being "what we think might happen" but as the Commission has been instructed by legal counsel they need to listen to the facts, that the fire requirements have been handled, that the noise could increase but the key word is 'could' we don't know that, as to the parking issue, since he has been on the Commission they have had no formal complaints so would more use cause more issues, that is an unknown; so based on the facts he does not see a reason not to uphold the RPC's finding

Chairman French asked for public comment.

Dave Jensen, School Superintendent, appeared before the Commission stating that he was not representing the Board of Trustees but spoke in support of the gym building identifying the current activities it is used for but stated that they would like to utilize it in other ways; he commented on other community buildings and how they are used and the ability to help with the cost of heating for the facilities; he recommended approval and stated his appreciation for the opportunity to speak to the Commission on the issue.

Leland Miller offered public comment noting that he is a board member and that they have a house by the bar and hardly hear anything, he commented on the Gast's knowledge of the sound and parking when they bought the place, events that create noise and parking in the parking and his initial opposition to the building which has now changed to support.

Rolfe Schwartz appeared before the Commission and offered public comment noting what appears to be confusion about what is being asked for which is a gym which would allow for other events besides the athletics only, though they would like to work toward a community center; he noted his understanding with concerns about the noise, that everything does seem to be in place legally to use as gym.

Tina Gast appeared before the Commission and offered public comment stating that she feels like what is currently in application for the amended use permit is not what is being said by those offering comment that it is very open ended, would allow other communities to use the facility, that there is no clarity that it is a gym and will in fact move incrementally toward becoming a community hall which is her concern; that she gets the need is there for school related activities but as the home owner next door already experiencing the effects so the permit going forward needs to be explicit as to what can be

done and what can't be done; she noted that the original permit called for an annual review but she is not sure that has ever occurred as no one ever contacted her; she noted other activities occurring at the location and questioned where the line is drawn, that she feels that they can't just roll over and say okay as it is right next to their backyard; she commented on comments made about parking and noise when they purchased the house but that used to be once in a while and now it is a regular occurrence; she reiterated her concerns about fire response noting liability with the fire lane for the County; she stated that this is being back-doored again and it rubs her the wrong way. Commissioner Hoss asked Mr. Chabot to come up with a better description of what the building can be used for; he noted that this was not backdoored by him and he did not support it being used for things like weddings and quinceaneras. Mrs. Gast commented that a community hall and a gym are two different things. Commissioner Hoss asked what can be done to limit what can be done in the building. Deputy District Attorney Maddox explained that the uses can be limited to what is in the application and if those uses change, they must come back before the board. Mrs. Gast commented that this is what occurred last time, and she was sure it was going to happen again, but she wanted to state how it makes them feel, what it does to their property value and their contentment.

Marty Echeverria offered public comment in support of allowing the resident to use the building and utilize it more and that it will not be a nuisance.

Mr. Chabot offered clarification as to what occurred with the Run-a-Mucca event and the need to use the building due to a sewer failure at the park, that this type of use is not the intention but if needed it is available.

Jim Rackley offered comments on the parking, the time people spend in the community and that this decision needs to be made by those people that reside there not the transient homeowners.

Gary Echevarria offered public comment noting the locations of everything on the site, that the intent was to build a gymnasium which it is as it does not have a multi-use floor, that it should not have any restrictions than a gym in Winnemucca would have, that is all that is being asked questioning why this gym would have restrictions when no other gymnasiums in Humboldt County have those restrictions. He stated that, where he lives, he has no problems with noise or parking and that he enjoys seeing people use and enjoy the building. Chairman French asked for additional public comment.

Carol Lynn, Emergency Management Director, offered comment on the ability to use this facility as an emergency shelter if an issue arose and it was needed and asked that it be included in the application so there is no roadblock if needed to implement that type of situation.

Andy Heiser offered public comment regarding the use of the gym, that the people who spoke built this

without taxpayer's dollars and that some weekends it is quiet and sometimes there are things going on and that it is a great community.

Cathy Schwartz offered public comment in favor of all uses allowed for a gym stating her understanding of the noise issue as they have a second home near the high school and experience noise from there but offered that what is heard should be considered to be joyful noise; she commented on the parking, the benefit of having this in their community and potential uses, that this is not a retirement community and there are no HOA requirements and that this involves the people that live, work, raise their families and bury their loved ones in the community though many of the property owners are not there all the time. Charles Stempeck appeared before the Commission and inquired about what defines the parking requirements. Mrs. Heiser reviewed the requirements for parking as set forth by the Building Code. Discussion ensued including language in code related to off-site parking, that there is no definition for a multi-use building in county code that this building is a gym. Chairman French offered comment that while he recognizes the need for the building, a family has appealed this due to the impact of the issues identified over the last seven years and the language in part C indicates there won't be impact; he offered suggestions as to ways to mitigate the issues such as botanical fences/sound barriers to satisfy the Gast family and maintain uses. Deputy District Attorney Maddox explained what the Board would have to find to add the conditions. Mr. Echevarria noted the fire lane minimum and so there is no room to plant or build but noted that nothing prohibits the Gasts from building or planting. Chairman French commented that the need for noise abatement for the Gasts did not exist before the building; that he throws this out on the table as an olive branch so that Gasts provide some and the community board gives some and they share in responsibility and solution. Mr. Echevarria stated that this is between the Gasts and the Paradise Community Board; but that has nothing to do with the issue at hand, that this is a gym and there should not be any restrictions if there are no restrictions on other gyms in the County; that no one opposes the Gasts doing something to address the situation and, if he wants help, he should address that to the community board. Chairman French commented on the need to share in the problem and is there room for abating the issues for that family as a partnership. Deputy District Attorney Maddox stated that the Commission is here in regard to the proposed additional uses, so when discussion is occurring as to problems already happening or the Gast's concerns, this Board cannot go back and make any amendments or changes to the original conditional use permit. Chairman French noted that it had been indicated that if the Commission votes to not uphold the conditional use permit and then votes on the finding side of this under part C, the Commission could amend that conditional use permit with some of those conditions that are outlined under part C. Deputy District Attorney

Maddox responded, if the proposed use causes a substantial undue adverse effect, not if prior uses do so. Chairman French stated that he is not talking about prior uses, he is speaking to what is before the Board today (Jesse Hill left the meeting at 10:30 a.m. indicating that he would re-join via Teams). Mr. Chabot commented on what had been requested by the Gasts and why it was voted down. Mr. Echevarria noted that you cannot assume that something is going to happen. Chairman French agreed stating that is why this Board has to take some sort of action today that would be a part of that conditional use permit under part C, which is why he is throwing this out there before the Board takes action. Mr. Echevarria stated that is a good idea, but it has to be between the Gasts and the community board. Chairman French agreed.

Commissioner Tipton stated that he hates to disagree with the Chair but he does believe this is getting out in the weeds here, that this is something that needs to be worked out between the community board and the Gasts; that, in his opinion, he does not believe that this Board has a finding here that we absolutely know that there will be a substantial or undue adverse effect based on what is before this board today and not on what has happened in the past. Chairman French responded again noting the issue with part C for the Gast family; he stated that he thinks this is an opportunity to mend fences and help people address issues.

Glenda Deputy asked if the Commission has a quorum with Commissioner Hill leaving the meeting. Commissioner Hill confirmed that he was present via Teams.

Mr. Miller offered further comments related to those who are complaining, that do not live out there full time, and that this is all regarding what might happen, but it also might not.

Mrs. Schwartz commented on the use of fabricated issues to prevent projects from moving forward and issues that will result if a gym in Paradise Valley is treated differently than other gyms in the county.

Chairman French asked for additional public comment; none offered. The following motion was made by Commissioner Tipton:

*To approve the RPC's decision.*

Commissioner Tipton asked Deputy District Attorney if any additional language needs to be added. Deputy District Attorney Maddox offered the following recommended language, to include: To approve pursuant to 17.68.090 that it is compliance with the master plan, that it is in compliance with zoning, that based on the evidence received there is not a substantial or undo adverse effect on adjacent properties as with those items listed in subsection C, so the appeal is denied.

Commissioner Tipton offered the following amended motion based on Deputy District Attorney Maddox's recommended language and it passed with Commissioners Tipton, Hill and Hoss voting aye,

Chairman French voting nay and Commissioner Cerri being absent:

*To approve the RPC's decision pursuant to Humboldt County Code 17.68.090 finding that, it is in compliance with the Master Plan, that it is in compliance with zoning and that based on the evidence received there is not a substantial or undo adverse effect on adjacent properties as with those items listed in subsection C of 17.68.090 so the appeal is hereby denied.*

Chairman French called for a recess beginning at 10:39 a.m. and reconvening at 10:52 a.m. and proceeding to item 9 on the agenda.

APPROVAL OF MINUTES: Discussion and action on correction/approval of minutes for discussion and action on correction/approval of minutes for March 27, 2017 (Budget Hearing); April 3, 2017; May 1, 2017 (Joint); May 15, 2017; June 19, 2017; July 10, 2017; August 7, 2017 (Joint); August 21, 2017; December 11, 2017 (Joint); January 16, 2018; January 29, 2018 (Retreat); February 5, 2018; February 20, 2018; March 5, 2018; April 2, 2018 (Budget Hearing); April 9, 2018; August 6, 2018; August 20, 2018; September 17, 2018; October 1, 2018; October 15, 2018; March 18, 2019; March 25, 2019 (Budget Hearings); April 1, 2019; May 6, 2019; May 15, 2019 (Special); May 20, 2019; June 3, 2019; June 17, 2019; June 25, 2019 (Special); August 5, 2019; August 19, 2019; September 3, 2019; September 16, 2019; October 21, 2019; November 4, 2019; November 25, 2019 (Special); December 16, 2019; January 6, 2020; January 21, 2020 (Combined Regular and Retreat); February 3, 2020; March 2, 2020; March 19, 2020; April 6, 2020; April 14, 2020 (Special); April 20, 2020; May 4, 2020; June 15, 2020 (Joint); July 17, 2020 (Special Joint); July 20, 2020; August 17, 2020; August 20, 2020 (Special Meeting); September 8, 2020; September 9, 2020 (Special); September 21, 2020; September 30, 2020 (Special); October 5, 2020 (Special Joint Meeting); October 19, 2020; November 9, 2020; November 13, 2020 (Special Canvass); November 23, 2020; December 14, 2020; January 4, 2021; January 25, 2021 (Special Meeting); February 8, 2021; February 22, 2021 (Special Joint Meeting); February 22, 2021; March 22, 2021; March 29, 2021 (Budgets); April 8, 2021 (Special Meeting); June 21, 2021; July 19, 2021; August 9, 2021; August 12, 2021 (Special Meeting); August 23, 2021; September 20, 2021; November 8, 2021; and November 22, 2021; January 3, 2022; January 24, 2022 (Commission Retreat), March 7, 2022, March 21, 2022; May 2, 2022; May 16, 2022; May 19, 2022 (Special); August 29, 2022 (Special Meeting-Grass Valley Nitrate); and September 6, 2022). Chairman French asked for corrections for the minutes of May 19, 2022; none offered. The following motion was made by Commissioner Tipton:

*To approve the minutes for May 19, 2022 as presented.*

Commissioner Hoss asked that the information from the staff report provided to the Commission related to the CTA item on the May 19, 2022 agenda be added for clarification of the

discussion related to that item; the Board concurred. Chairman French called Commissioner Tipton's motion to a vote, and it passed with Commissioners Tipton, Hill and Hoss voting aye, Chairman French abstaining as he had not been in attendance and Commissioner Cerri being absent:

Chairman French asked for corrections for the minutes of August 29, 2022; none offered. The following motion was made by Commissioner Tipton and passed with Chairman French and Commissioners Tipton, Hill and Hoss voting aye and Commissioner Cerri being absent:

*To approve the minutes for August 29, 2022 as presented.*

Chairman French asked for corrections for the minutes of September 6, 2022; none offered. The following motion was made by Commissioner Hill and passed with Chairman French and Commissioners Tipton, Hill and Hoss voting aye and Commissioner Cerri being absent:

*To approve the September 6, 2022 minutes.*

APPROVAL OF EXPENDITURES FOR HUMBOLDT COUNTY FOR SEPTEMBER 6, 2022 THROUGH SEPTEMBER 19, 2022: The following motion was made by Commissioner Hill and passed with Chairman French and Commissioners Tipton, Hill and Hoss voting aye and Commissioner Cerri being absent:

*To approve the expenditures for September 6 through September 19, 2022.*

COMPTROLLER: Comptroller Gina Rackley appeared before the Commission.

APPROVAL OF THE AMERICAN RESCUE PLAN ACT PROJECT AND EXPENDITURE PLAN: Consideration, discussion and possible action to approve the revised American Rescue Plan Act Project and Expenditure Plan. Included on the on-line agenda for review was a copy of Humboldt County's American Rescue Plan Act Project and Expenditure Plan (see attached). Comptroller Rackley reviewed the changes recommended by the committee to the original plan (see attached). The following motion was made by Commissioner Tipton and passed with Chairman French and Commissioners Tipton, Hill and Hoss voting aye and Commissioner Cerri being absent:

*To approve the American Rescue Plan Act Project and Expenditure Plan as presented by the Comptroller.*

FINANCIAL REPORT: Humboldt County Comptroller Gina Rackley will provide an overview of current conditions with respect to Humboldt County revenues and expenditures for fiscal year 2023 (July 1, 2022 through June 30, 2023), including an update on the American Rescue Plan Act (ARPA). Comptroller Rackley informed the Commission that two deposits of the opioid settlement funds totaling \$254,540.57 had been received and the committee has met to create the plan, that the audit has begun, and her new employee has started and is doing well.

HUMAN SERVICES: Human Services Director Denni Byrd appeared before the Commission.

APPROVAL OF THE FISCAL YEAR 2023 AFFORDABLE HOUSING WELFARE SET-ASIDE PROGRAM

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AGREEMENT: Consideration, discussion and possible approval of the Fiscal Year 2023 Affordable Housing Welfare Set-Aside Program Agreement, and subject to review and approval of the District Attorney's Office. The agreement provides the County with funds in an amount not to exceed \$5,876.22 to assist with qualified Human Services program activities. A copy of the proposed agreement was included on the on-line agenda for review. Director Byrd reviewed the request for the Commission. The following motion was made by Commissioner Tipton and passed with Chairman French and Commissioners Tipton, Hill and Hoss voting aye and Commissioner Cerri being absent:

*To approve the fiscal year 2023 Affordable Housing Welfare Set-Aside Program Agreement, subject to approval of the District Attorney's Office in an amount not to exceed \$5,876.22.*

Chairman French stated that the Commission would return to item 4 on the agenda as it is time for the public hearing.

BUILDINGS & GROUNDS: Maintenance Operations Supervisor Mitch Mauk appeared before the Commission.

REQUEST FOR APPROVAL OF AGREEMENT WITH SATO: Consideration, discussion and possible action for the following: A request to approve a contract with Sato Environmental Consultants, Inc to provide consultation services for an Environmental Protection Agency, National Emission Standard for Hazardous Air Pollutants Asbestos Containing Materials survey, Abatement Design, Project Monitoring, Clearance and Final Reporting of Abatement Required for demolition of the residence owned by Humboldt County located at 543 Melarkey Street, in an amount not to exceed \$10,852, and subject to review and approval of the District Attorney's Office. Included on the on-line agenda for review was a copy of the professional services proposal from Sato Environmental Consultants, Inc. Manager Mendiola reviewed the request for the Commission. After discussion the following motion was made by Commissioner Tipton and passed with Chairman French and Commissioners Tipton, Hill and Hoss voting aye and Commissioner Cerri being absent:

*To approve a contract with Sato Environmental Consultants to provide consultation services for an Environmental Protection Agency, National Emission Standard for Hazardous Air Pollutants Asbestos Containing Materials Survey, Abatement Design, Project Monitoring, Clearance and Final Reporting of Abatement Required for demolition of the residence owned by Humboldt County located at 543 Melarkey Street, in an amount not to exceed \$10,852.00, and subject to review and approval of the District Attorney's Office.*

REQUEST FOR APPROVAL OF AGREEMENT WITH PREMIER ELEVATOR: Consideration, discussion and possible action for the following: A request to approve a 3-year service agreement with Premier Elevator

Company, LLC in an amount not to exceed \$16,000, and authorize Mitch Mauk to sign the service agreement subject to the DA's Office review and approval. Included on the on-line agenda for review was a copy of a proposed service agreement from Premier Elevator Company, LLC. Manager Mendiola reviewed the request for the Commission. After discussion the following motion was made by Commissioner Tipton and passed with Chairman French and Commissioners Tipton, Hill and Hoss voting aye and Commissioner Cerri being absent:

*To approve a 3-year service agreement with Premier Elevator Company, LLC in an amount not to exceed \$16,000.00, and authorize Mitch Mauk to sign the service agreement subject to the DA's Office review and approval.*

ACCEPTANCE OF A PROPOSAL FROM A1 COMMERCIAL: Consideration, discussion and possible action for the following: A request to accept the proposal from A1 Commercial to replace a bad compressor due to mechanical failure for the walk-in freezer at the Detention Center in an amount not to exceed \$9,838. Included on the on-line agenda for review was a copy of a budget pricing proposal from A-1 Commercial Service Company. Supervisor Mauk reviewed the request for the Commission. Commissioner Hoss reiterated his request to have all electrical aspects of the buildings reviewed. After discussion the following motion was made by Commissioner Hoss and passed with Chairman French and Commissioners Tipton, Hill and Hoss voting aye and Commissioner Cerri being absent:

*To approve Buildings & Grounds request as presented to approve a proposal from A1 Commercial to replace a bad compressor due to mechanical failure for the walk-in freezer at the Detention Center in an amount not to exceed \$9,838.00.*

PUBLIC WORKS DEPARTMENT: Public Works Director Don Kalkoske appeared before the Commission.

GENERAL ROAD PROJECTS: A presentation by Humboldt County Public Works Director Don Kalkoske to update the Board on Road projects within Humboldt County, 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. Director Kalkoske reported on the continued work on roads that were damaged in rainstorms earlier as well as during the BLM wild horse roundup and road work occurring throughout the County including preparing for the potato harvest traffic.

Chairman French stated that the Commission would move to item 17 on the agenda.

SHERIFF: Sheriff Mike Allen and Captain Sean Wilkin appeared before the Commission.

REQUEST TO WAIVE ATTRITION POLICY: Consideration, discussion and possible action of the following: A request to waive the attrition policy to hire a Detention Deputy as a result of a vacancy due to a transfer. Sheriff Allen spoke in support of the request. The following motion was made by

Commissioner Tipton and passed with Chairman French and Commissioners Tipton, Hill and Hoss voting aye and Commissioner Cerri being absent:

*To waive the attrition policy to hire a Detention Deputy as a result of a vacancy due to a transfer.*

TO PURCHASE PRO BLUE TEAM SOFTWARE: Consideration, discussion and possible action of the following: A request to purchase IA-PRO Blue Team Software as required under Chapter 289.823 of Nevada Revised Statutes, in an amount not to exceed \$17,600 for the initial purchase and \$3,500.00 per year sustainment cost after the first year. Included on the on-line agenda for review was a copy of a price quote from IAPro. Sheriff Allen reviewed the request for the Commission noting that it is contained in the budget. Captain Wilkin presented copies of the power point presentation to the Board for review. Captain Wilkin reviewed the power point presentation for the Commission including what the software provides, why it is necessary and a summary of the legislation that required this data tracking. Commissioner Hoss asked how this will be implemented and who will enter the data. Captain Wilkin responded. Commissioner Tipton asked if RIMS would still be used. Captain Wilkin responded. Commissioner Hoss asked if this would require the hiring of additional personnel. Captain Wilkin responded no. Commissioner Tipton asked if additional funding would be needed going forward. Sheriff Allen responded that there would annual costs going forward. The following motion was made by Commissioner Tipton and passed with Chairman French and Commissioners Tipton, Hill and Hoss voting aye and Commissioner Cerri being absent:

*To approve the purchase of IA-PRO Blue Team Software as required under Chapter 289.823 of Nevada Revised Statutes, in an amount not to exceed \$17,600 for the initial purchase and \$3,500.00 per year sustainment cost after the first year.*

Sheriff Allen commented on the public comment received at the beginning of the meeting and asked that the matter be referred to him as he did not know about this but that they are looking at the situation.

WINNEMUCCA EVENT COMPLEX: WCVA Director Kim Petersen appeared before the Commission.

REQUEST TO PURCHASE PARKING LOT LIGHTING TO UPGRADE COVERAGE: Consideration, discussion and possible approval of the following: Request to approve a proposal from C.R. Drake & Sons to purchase and install exterior fixtures to retrofit the current limited lighting coverage and address safety issues at the Event Center parking lot, in an amount not to exceed \$41,721. Director Petersen reviewed the request noting that these items were included in the budget and explaining the proposal process and response received. The following motion was made by Commissioner Tipton and passed with Chairman French and Commissioners Tipton, Hill and Hoss voting aye and Commissioner Cerri being

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absent:

*To approve a proposal from C.R. Drake & Sons to purchase and install exterior fixtures to retrofit the current limited lighting coverage and address safety issues at the Event Center parking lot, in an amount not to exceed \$41,721.00.*

REQUEST TO RAISE THE ELEVATION OF THE PAVILION WARM-UP ARENA: Consideration, discussion and possible approval of the following: Request to approve a proposal from Hunewill Construction Company to raise the elevation of the existing warm-up arena located to the east of the WEC Pavilion to eliminate flooding in an amount not to exceed \$22,000. Director Petersen reviewed the request for the Commission including the proposal process and that this proposal came in lower which helps make up the difference on the prior item. The following motion was made by Commissioner Tipton and passed with Chairman French and Commissioners Tipton, Hill and Hoss voting aye and Commissioner Cerri being absent:

*To approve a proposal from Hunewill Construction Company to raise the elevation of the existing warm-up arena located to the east of the WEC Pavilion to eliminate flooding in an amount not to exceed \$17,500.00.*

REQUEST FOR THE EAST PARKING LOT EXPANSION: Consideration, discussion and possible approval of the following: Request to accept the proposal from Hunewill Construction Company in the amount not to exceed \$99,250 to extend the east end paved parking lot by 47,250 sq. ft. This should add approximately 95 additional spaces. Director Petersen reviewed the request for the Commission. The following motion was made by Commissioner Tipton and passed with Chairman French and Commissioners Tipton, Hill and Hoss voting aye and Commissioner Cerri being absent:

*To accept the proposal from Hunewill Construction Company in the amount not to exceed \$99,250.00 to extend the east end paved parking lot by 47,250 square feet.*

Chairman French asked if anything had been heard about a screening fence for the property across the road from the Events Center. Director Petersen responded. Commissioner Hoss asked about the issues with heat and the animal barn during the fair. Director Petersen responded.

TREASURER & HUMAN RESOURCES: Treasurer Rhona Lecumberry and Human Resources Director Abel del Real-Nava appeared before the Commission.

REQUEST FOR APPROVAL OF TREASURER'S OFFICE JOB DESCRIPTIONS AND SALARY RANGES:

A) Consideration, discussion, and possible approval of a new Deputy Treasurer classification series consisting of three new positions; Deputy Treasurer I, II and Deputy Administrative Treasurer. Treasurer Lecumberry reviewed the request for re-classification of the employees in her Office noting that

currently her positions are identified as part of the admin clerk series but that she believes that there are duties that fall within the Office that don't really fall under the admin clerk series and explained; she continued explaining that she had included this change in her budget for 2020 but due to Covid she had withdrawn it, that included in the next year's budget was a shared employee with the Comptroller's Office but that position was ultimately not needed and that while she had still intended to make this change, she had been told that a countywide class/comp study was planned so she again had waited but as that has not occurred she has decided to move forward with this on her own as she has seen people being brought in at higher starting wages so she believes it is important to determine if her employees are being compensated in line with our sister counties as well as if they are being treated fairly given their years of service and experience; she explained what information she had received from which counties for said comparison and provided her recommended changes; she stated that the current budget will cover the additional costs but there will be an impact going forward. Chairman French commented that he has always been concerned when bringing in new employees at a salary above the entry level amount to compete and while he is a proponent of being competitive on salaries, but he does have a concern hiring someone new equal to someone who has 18 years or more experience; he asked if HR is on board with this. Treasurer Lecumberry confirmed that the HR Director is on board and assisted with the process; she commented on the requirements of higher classifications for training and such which is not a requirement for the position as proposed; she further noted the lack of a comp/classification study being done since she has been with the County. Commissioner Hoss commented on employees being upset that people are being brought in higher than the current employees with their abilities and training stating that we need to stop doing that and explained. Chairman French stated he didn't disagree noting the need to recognize that person with time and experience. Commissioner Hoss noted the problem with hiring new employees at more than the experienced employees. Treasurer Lecumberry commented on doing this for the purpose of retention as well and the need to allow for room for growth. Commissioner Tipton agreed with comments and concerns and noted a meeting coming up on doing a comp study which he feels is very much overdue; he stated his support for the Treasurer's request. Commissioner Hoss stated his support as well but asked if this impacts the current agreements in place with the employees' associations. Discussion ensued. Director del Real-Nava offered comments in support of the Treasurer's actions and the plan for a comp study, agreeing that it is way overdue. Assessor Andy Heiser appeared before the Commission and commented, if Treasurer did a study that identified a higher range, that should be what is implemented noting that a compensations study may change the ranges and explained. Treasurer

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Lecumberry indicated that the study showed that the administrative deputy would be a grade 28 which she had submitted as a 25 due to educational requirements for the county's grade 28 but she would leave that decision to the Commission, but she suspects that the comp study will move it. The following motion was made by Commissioner Tipton and passed with Chairman French and Commissioners Tipton and Hoss voting aye and Commissioners Cerri and Hill being absent:

*To approve the new Deputy Treasurer classification series consisting of three new positions - Deputy Treasurer I, II and Deputy Administrative Treasurer.*

B) Consideration, discussion, and possible approval of salary range recommendations from a compensation study for the new Deputy Treasurer I, II and Deputy Administrative Treasurer positions. The recommended hourly salary ranges for the positions are \$20.06 - \$25.05 per hour for Deputy Treasurer I, \$22.58 - \$28.26 for Deputy Treasurer II, and \$26.43 - \$33.02 for Deputy Administrative Treasurer. Chairman French read the title of the agenda item. The following motion was made by Commissioner Tipton and passed with Chairman French and Commissioners Tipton and Hoss voting aye and Commissioners Cerri and Hill being absent:

*To approve what the Chair read into the record.*

DISTRICT ATTORNEY'S OFFICE: Deputy District Attorney Wendy Maddox appeared before the Commission.

REQUEST FOR DIRECTION REGARDING AMENDING THE HUMBOLDT COUNTY CODE TO ALLOW FOR CANNABIS CONSUMPTION LOUNGES: Consideration, discussion and possible direction from the Board regarding amending Humboldt County Code to allow for Cannabis Consumption Lounges. Deputy District Attorney Maddox noted a letter that was received from the Cannabis Compliance Board and explained that what is needed is direction from the Board as to whether they want the Code to remain the same, which prohibits cannabis lounges or to proceed with the process to amend the Code to allow for cannabis consumption lounges. Chairman French stated that he is not interested in allowing cannabis consumption lounges. The Board concurred. No action taken.

Chairman French recessed the meeting at 1:17 p.m. reconvening at 1:27 p.m.

CLOSED SESSION: Pursuant to NRS 241.015(3)(b)(2), to receive information from legal counsel regarding potential or existing litigation involving a matter over which the Board has supervision, control, jurisdiction or advisory power, and to deliberate toward a decision on the matter, or both. The following motion was made by Commissioner Tipton and passed with Chairman French and Commissioners Tipton and Hoss voting aye and Commissioners Cerri and Hill being absent:

*To move into closed session.*

The Board went into closed session at 1:28 p.m. (Commissioner Hill participated in the closed session via telephone) and returned to open session at 1:38 p.m. based on the following motion made by Commissioner Tipton and passed with Chairman French and Commissioners Tipton and Hoss voting aye and Commissioners Cerri and Hill being absent:

*To return to open session.*

ASSESSOR: Assessor Andy Heiser appeared before the Commission.

REQUEST FOR THE DISTRICT ATTORNEY'S OFFICE TO HAVE THE STATE BOARD OF EQUALIZATION'S DECISION JUDICIALLY REVIEWED: Consideration, discussion and possible action to authorize the District Attorney's Office to have the State Board of Equalizations decision dated August 24, 2022 in the matter of APN: 07-0471-13 & 07-0471-24 Humboldt County Assessor, Petitioner v. Battle Mountain Solar Project, L.L.C. Respondent, judicially reviewed pursuant to NRS 233B, 360 and 361. Said authority shall include but is not limited to filing any associated or responsive pleadings while having the matter judicially reviewed. The following motion was made by Commissioner Tipton and passed with Chairman French and Commissioners Tipton, Hill and Hoss voting aye and Commissioner Cerri being absent:

*To authorize the District Attorney's Office to have the State Board of Equalization's decision dated August 24, 2022 in the matter of APN: 07-0471-13 and 07-0471-24 Humboldt County Assessor, Petitioner versus Battle Mountain Solar Project, L.L.C., Respondent, judicially reviewed pursuant to NRS 233B, 360 and 361. Said authority shall include but is not limited to filing any associated or responsive pleadings while having the matter judicially reviewed.*

APPROVAL OF COUNTY COMMENTS REGARDING DESERT LAND ENTRY APPLICATION: Consideration, discussion and possible approval of a letter to the Bureau of Land Management, Humboldt River Field Office, regarding a Preliminary Environmental Assessment that has been prepared to analyze a Desert-Land Entry (DLE) application for entry onto public lands adjacent to existing private property in the vicinity of Granite Creek and Deep Creek, Humboldt County, Nevada, for agricultural development. The Applicant has requested entry on four parcels totaling 1,111.64 acres. Approximately 875 acres of the parcels would be converted to agricultural use over a four-year period with the eventual goal of patenting the land to the Applicant for agricultural use. The public comment period has started and will end on September 23, 2022. Steve and Stacy Egger appeared before the Commission. Mr. Egger commented on what was contained in the proposed letter that was false including that they had won their case in the Sixth Judicial District Court and that it had not been appealed so they have not been to the Supreme Court related to this case; he reviewed what had occurred with the request for the Desert Land Entry including that this would allow for the use of unused water rights due to corners not being

watered, that this is the most efficient way to do that with the addition of land next to them, the request by the BLM to submit the change applications which were taken by the State and then they forfeited without out notice and opportunity to cure without due diligence which is why this matter went to court, that there have been numerous delays, that these are property rights that he owns, that are certificated rights, that they are required by law to put these into use or they will lose them, that they have been in a Catch-22 for the last eight years as neither the State nor the BLM will move on this though there're is a preliminary environmental assessment, that they want to get this approved then they will go to work on the State and explained why they need to act. He stated that he does not know who is encouraging the Commission to disapprove of this, but he noted the need for his neighbors for his hay production. Chairman French stated that it has been purely procedural and does not involve the Eggers or their water rights specifically but is based on concerns with hydrographic basin as well as impact on surface water. Mrs. Egger asked for clarification on what surface waters are impacted noting that they have purchased a number of rights including surface waters which have been tremendous until this year. Chairman French commented on issues surrounding the corners on those DLEs indicating that this is plowing new ground and that the Commission does not have jurisdiction on that, they are just saying there are concerns with hydrographic basin. Mrs. Egger referred to research that was done related to corners and forfeiture and they are not considered new water they are certificated waters and just being moved. Discussion ensued. Chairman French stated that this is a procedural matter between the Commission and the BLM noting that the County had received information from the BLM that was not correct as well as not being notified in a timely manner which allows for a very short response time; he stated that the County is coming from the public interest standpoint and want the opportunity to review these types of issues to determine the impact on the public; he explained what the County is looking at including the need to be a player in the process and the reason for the request for an extension to respond. Mrs. Egger requested that the County Commission to rescind their prior letter of public comment to the BLM on the Egger's Desert Land Entry Preliminary Environmental Assessment and she asked the Commission to publicly remain neutral on the Egger's DLE; she noted her sadness that the Commission did not ask for input or notify the Eggers of the Commissioners' creation of a public opinion and the intent to publish that opinion without any input or explanation from twenty-three year residents; she referred the Commission to the County's Mission Statement as well as the Strategic Issue and Goals and the language indicating how this applies to this situation; she continued referring to Humboldt County Code 17.06.040 and lastly, NRS 244.140 referring to County Commissioners matters of their concerns indicating that what she is saying is that the Commission is not

State Water Resources, not BLM but that they are trying to make changes to state laws by superseding those entities authority. She continued asking about anonymous protesters and questioned why they are not protesting in the appropriate method. Chairman French responded indicating that is what he has said, as the Commission does not protest; he noted that concern is between you and those people but if someone voices concern that is between them and that agency; he continued stating that the Commission does not regulate water rights but they do have the ability to weigh in on decisions made by entities that do regulate; he explained how the Commission forms their position for comments back to agencies on behalf of the public interests; he again commented that the Commission was left in a lurch by the BLM as they were not allowed time review and to offer comments; that this is not a protest it is just weighing in on the proposal and the EA. Mrs. Egger again stated her request that the Commission rescind the prior letter of the public comment to the BLM and asked the Commissioners to publicly refrain and remain neutral on their application; she apologized if this came off as argumentative but stated that this is their livelihood and to allow unnamed people make protest, in her opinion makes the Commission appears biased and perhaps promoting cronyism or favoritism; she asked that the Commission please stay neutral; she noted that the paperwork she provided to the Commission was prepared by their attorney. Mr. Egger asked that, if there are any questions, to please call them or come and see what is occurring. Mr. and Mrs. Egger offered comments on the proposals noting that the land being looked at is on the very fringes of allotments and commented on the inability to graze this land. Mr. Egger commented on the costs for what they are doing. Mrs. Egger again asked that the Commission not act on people who want to remain anonymous as that is unfair noting that the Commission represents them too. Chairman French noted that this action is not occurring because of anyone specific and explained. Mrs. Egger asked for the Commission's support in what they do as they have tried to be good neighbors and commented on their actions in relation to protests made through the Division of Water Resources. Mr. Egger stated that there are no valid protests through the Division at this time.

Commissioner Tipton commented that it bothers him that neighboring ranchers would lose AUMS though he does understand that the BLM can grant lost AUMS in other areas, and it bothers him that the Division of Water Resources, is not in step with BLM and explained. Chairman French commented on prior concerns of this Board and issues with the BLM related to incomplete applications as to the water rights which impacted and created questions about other processes. Mrs. Egger commented on the agreement that BLM and Water Resources had initially come to. Chairman French commented on the process. Discussion ensued. Discussion ensued regarding the loss of AUMS. Commissioner Hoss

offered comment on the letter and his understanding of what it says. Chairman French reviewed the language of the proposed letter. Manager Mendiola explained why there were two different letters and offered comments on this process and suggested changes that may need to be made to the letter as proposed. Discussion ensued including that the opposition is not to the project but to the process as it doesn't follow BLM's procedures. Commissioner Hill thanked the Eggers for coming in and agreeing that the Commission does have an obligation to remain neutral at this point as they are not a regulating agency but they do have an obligation to the citizens to be involved in the process and to hold the agencies accountable for their policies; he stated that he is okay with a change in the language of the letter as he agrees that the Commission should take a neutral stance at this point with the ability to weigh in as necessary as that is vital and important. Chairman French stated that the Commission is in agreement to make changes to the last paragraph of the letter, to take out the specifics/suspension of the project and just address the procedural aspects. Deputy District Attorney Maddox asked that the Commission also look at page 2, the last paragraph and the sentence that begins with "it" there should be an "is" following the "it" and asked that on page 3 where the language is highlighted, and it ends with "the County opposes any such action" for whether there needs to be clarification there as well. Manager Mendiola commented that this goes back to the procedures so after the change noted earlier to say "the procedures" the following sentence related to protests would be changed to read, rather than "protests", "until such a time as ongoing NDWR issues are resolved in the applicants favor and water permits are issued the BLM should suspend further consideration of the application" noting that the purpose of the letter is just commenting that the BLM should not proceed until all steps required by BLM are addressed. Discussion continued regarding the language in the letter and how to amend it. Manager Mendiola reviewed the final changes including on page 2 the last paragraph to add "it is in conflict", no changes in the yellow or red sections, and on the last page, the last paragraph would read "the county appreciates the opportunity to provide these comments and reiterates its opposition to the proposed action by the BLM and the procedures adopted by the BLM that are in opposition to the BLM's policies on DLEs." Mr. and Mrs. Egger agreed to the changes offered and thanked the Commission. After discussion the following motion was made by Commissioner Tipton and passed with Chairman French and Commissioners Tipton, Hill and Hoss voting aye and Commissioner Cerri being absent:

*To approve the letter as presented, with the changes that were just added, to the Bureau of Land Management, Humboldt River Field Office, regarding a Preliminary Environmental Assessment that has been prepared to analyze a Desert-Land Entry application for entry onto public lands adjacent to existing private property in the vicinity of Granite Creek and Deep Creek, Humboldt County, Nevada, for*

*agricultural development.*

Chairman French stated that the Board would be returning to item 11 on the agenda at this point.

MISCELLANEOUS REPORTS AND CORRESPONDENCE:

- 1) Other information and upcoming meetings: The following meetings were noted on the agenda - September 20, 2022 Winnemucca City Council Meeting, October 3, 2022 Humboldt County Board of Commissioners Meeting, October 11, 2022 Winnemucca City Council Meeting, October 10, 2022 Regional Airport Board Meeting, October 13, 2022 Regional Planning Commission Meeting, October 17, 2022 Humboldt County Commission Meeting and October 25, 2022 Winnemucca City Council Meeting.
- 2) Reports from Commissioners regarding other Boards and Committees on which they serve: Commissioner Hill offered no report. Commissioner Hoss reported on a Museum Board meeting, an Airport Board meeting and noted an upcoming Central Nevada Rural Water Authority meeting. Commissioner Tipton noted an upcoming Hospital Board meeting which he may miss due to NACO. Chairman French reported on a Wild Horse/Burro Advisory Board meeting he attended via Zoom and noted an upcoming in-person meeting of that Board; he noted an upcoming NVWorks Board meeting and a NACO Board of Directors meeting.

FUTURE AGENDA ITEMS: Manager Mendiola stated that nothing had been identified during today's meeting but noted upcoming reports from Shaw Engineering regarding Gold Country and maybe Schroeder Law.

PUBLIC COMMENT: Chairman French asked for public comment. Commissioner Hoss asked about a report on the shooting range and asked that it be followed up on as it has been too long. Manager Mendiola responded that he would follow up on that. Commissioner Hoss noted that he has received calls regarding employees using vehicles for personal use. Manager Mendiola responded explaining the issue and noted that it had been stopped pending a meeting with the Comptroller and Auditor. Commissioner Hoss asked about activity at Thacker Pass as he has heard that there is a lot going on. Manager Mendiola responded that he had reported to the Board for a plan for exploration but otherwise he believes it is waiting on a court ruling. Commissioner Hoss noted a conversation with the School Superintendent about a new school in Orovada and the need to keep an eye on that. Deputy District Attorney Maddox noted training she had participated in which addressed the use of vehicles and offered to assist with the matter. No further public comment received.

ADJOURNMENT: Chairman French adjourned the meeting at 1:49 p.m.

ATTEST: \_\_\_\_\_ APPROVED: \_\_\_\_\_  
Clerk Chairman

(Minutes approved by the Commission and signed by the Chairman on \_\_\_\_\_)

UNAPPROVED/UNOFFICIAL



**Humboldt County Board of Commissioners**  
**Monday, November 7, 2022, at 8:30 a.m.**  
**Meeting Minutes**

Those present were Chairman Jim French, Commissioners Ken Tipton, Ron Cerri, Jesse Hill, and Tom Hoss, Deputy District Attorney Wendy Maddox, County Manager Dave Mendiola (via Teams), Assistant County Manager Abel del Real-Nava and Clerk of the Board Tami Rae Spero (via Teams).

CALL TO ORDER: Chairman French called the regular meeting to order in a special place of meeting at the Winnemucca City Council Chambers, Winnemucca, Nevada.

STAFF REPORT: Staff report provided to the Board (see attached).

PLEDGE OF ALLEGIANCE: All in attendance recited the Pledge of Allegiance.

PUBLIC COMMENT: Chairman French asked for public comment; none offered.

PRESENTATION ON RESOURCES AVAILABLE TO COPE WITH RECENT TRAGADIES IMPACTING OUR COMMUNITY: Conversation with community stakeholders on resources available to assist individuals coping with recent tragedies affecting the community. Assistant County Manager del Real-Nava addressed the Commission regarding recent incidents which had impacted the community including our Sheriff's Office explaining the resources available to employees. Deputy District Attorney Maddox commented on the plan put in place, what resources are available and what are being looked at for the future including a formal policy including providing paperwork to the Commission. Humboldt General Hospital CEO Robyn Dunckhorst appeared before the Commission via telephone and explained what services are available through the hospital and confirmed that the hospital would love to play a part in any future plans by the County. Winnemucca Rural Fire Chief Torrey Sheen offered comment on the need for services for the volunteer fire fighters as they are impacted as much as regular employees. Discussion ensued.

APPROVAL OF MINUTES: Discussion and action on correction/approval of minutes for discussion and action on correction/approval of minutes for March 27, 2017 (Budget Hearing); April 3, 2017; May 1, 2017 (Joint); May 15, 2017; June 19, 2017; July 10, 2017; August 7, 2017 (Joint); August 21, 2017; December 11, 2017 (Joint); January 16, 2018; January 29, 2018 (Retreat); February 5, 2018; February 20, 2018; March 5, 2018; April 2, 2018 (Budget Hearing); April 9, 2018; August 6, 2018; August 20, 2018; September 17, 2018; October 1, 2018; October 15, 2018; March 18, 2019; March 25, 2019 (Budget Hearings); April 1, 2019; May 6, 2019; May 15, 2019 (Special); May 20, 2019; June 3, 2019; June 17, 2019; June 25, 2019 (Special); August 5, 2019; August 19, 2019; September 3, 2019; September 16, 2019; October 21, 2019; November 4, 2019; November 25, 2019 (Special); December 16, 2019; January 6, 2020; January 21, 2020 (Combined Regular and Retreat); February 3, 2020; March 2, 2020; March 19, 2020; April 6, 2020; April 14, 2020 (Special); April 20, 2020; May 4, 2020; June 15, 2020 (Joint); July 17, 2020 (Special Joint); July 20, 2020;

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August 17, 2020; August 20, 2020 (Special Meeting); September 8, 2020; September 9, 2020 (Special); September 21, 2020; September 30, 2020 (Special); October 5, 2020 (Special Joint Meeting); October 19, 2020; November 9, 2020; November 13, 2020 (Special Canvass); November 23, 2020; December 14, 2020; January 4, 2021; January 25, 2021 (Special Meeting); February 8, 2021; February 22, 2021 (Special Joint Meeting); February 22, 2021; March 22, 2021; March 29, 2021 (Budgets); April 8, 2021 (Special Meeting); June 21, 2021; July 19, 2021; August 9, 2021; August 12, 2021 (Special Meeting); August 23, 2021; September 20, 2021; November 8, 2021; and November 22, 2021; January 3, 2022; January 24, 2022 (Commission Retreat), March 7, 2022, March 21, 2022; May 2, 2022; May 16, 2022; September 19, 2022 (Regular Meeting); and October 17, 2022. Chairman French asked for corrections to the minutes of September 9, 2020; none offered. The following motion was made by Commissioner Tipton and passed with Chairman French and Commissioners Tipton and Cerri voting aye and Commissioners Hill and Hoss abstaining as they had not been on the Commission at the time:

*To approve the minutes for September 9, 2020 as presented.*

Chairman French asked for corrections of the minutes of October 17, 2022; none offered. The following motion was made by Commissioner Tipton and passed with Chairman French and Commissioners Tipton, Hill and Hoss voting aye and Commissioner Cerri abstaining as he had not been present at the meeting:

*To approve the October 17, 2022 minutes as presented.*

APPROVAL OF EXPENDITURES FOR HUMBOLDT COUNTY FOR OCTOBER 17 THROUGH NOVEMBER 7, 2022:

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

*To approve the expenditures from October 17<sup>th</sup> to November 7<sup>th</sup>.*

COMPTROLLER: Comptroller Gina Rackley appeared before the Commission.

FINANCIAL REPORT: Humboldt County Comptroller Gina Rackley will provide an overview of current conditions with respect to Humboldt County revenues and expenditures for fiscal year 2023 (July 1, 2022 through June 30, 2023), including an update on the American Rescue Plan Act (ARPA) and other funding available to the County. Comptroller Rackley reviewed the CTX for August which showed an increase over July. Discussion ensued regarding the figures for the utilities. Discussion ensued regarding LATCF funding received and the amounts that may be received in the future.

TREASURER'S OFFICE: Treasurer Rhona Lecumberry appeared before the Commission.

FIRST QUARTER REPORT OF FISCAL YEAR 2023: Humboldt County Treasurer Rhona Lecumberry will present the Quarterly Financial Report for 1st quarter of Fiscal Year 2023. Treasurer Lecumberry provided a report on the County's investments. Discussion ensued including the ability to use some of the

investments for upcoming projects. Treasurer Lecumberry reported on the amounts received at the close of the 2022 tax year for both Real and Personal Property Taxes.

Chairman French stated that the Commission would move to item 10 on the agenda as item 9 is a public hearing.

PLANNING: Senior Planning Technician Betty Lawrence appeared before the Commission.

10:00 A.M. PUBLIC HEARING: Consideration, discussion and possible approval of the following:

RH-22-17 Zone change request submitted by Regional Planning Commission on behalf of B. Wilkinson and B. Calhoun et al to change the C (Commercial) zoning designation to M-3 (Open Land Use) zoning designation on property located at 195 US Hwy 95, McDermitt, NV (APN 03-0594-55). Included on the on-line agenda for review was a copy of the Notice of Public Hearing and a copy of the proposed Ordinance. Chairman French read the title of the item set to public hearing. Commissioner Hoss asked what the Open Use zoning allows for. Mrs. Lawrence explained. Chairman French asked for public comment; none offered. The following motion was made by Commissioner Cerri and passed unanimously:

*To approve the zone change request on RH-22-17 on behalf of B. Wilkinson and B. Calhoun changing from C, Commercial to M-3, open land use.*

*(Ordinance No. 11-07-22)*

RH-22-18 Zone change request submitted by Regional Planning Commission on behalf of B. Wilkinson and B. Calhoun et al to change the C (Commercial) zoning designation to M-3 (Open Land Use) zoning designation on property located off US Hwy 95, McDermitt, NV (APN 03-0594-54). Included on the on-line agenda for review was a copy of the Notice of Public Hearing and a copy of the proposed Ordinance. Chairman French read the title of the item set to public hearing. Chairman French asked for public comment; none offered. The following motion was made by Commissioner Cerri and passed unanimously:

*To approve the zone change request on RH-22-18 on behalf of B. Wilkinson and B. Calhoun changing from C, Commercial to M-3, open land use.*

*(Ordinance No. 11-07-22a)*

RH-22-19 Zone change request submitted by Regional Planning Commission on behalf of Donn L. Sakurada to change the C (Commercial) zoning designation to M-1 (Industrial) zoning designation on property located N of I-80/S of the RR tracks (APN 05-0555-06). Included on the on-line agenda for review was a copy of the Notice of Public Hearing and a copy of the proposed Ordinance. Chairman French read the title of the item set to public hearing. Chairman French asked for public comment; none offered. The following motion was made by Commissioner Tipton and passed unanimously:

*To approve RH-22-19 as read into the record by the Chairman.*

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*(Ordinance No. 11-07-22b)*

RH-22-20 Zone change request submitted by Regional Planning Commission on behalf of AmeriGas Propane LP change the C (Commercial) zoning designation to GC (General Commercial) zoning designation on property located at 3400 W Winnemucca Blvd/W Winnemucca Blvd (APN 10-0102-01 & 02). Included on the on-line agenda for review was a copy of the Notice of Public Hearing and a copy of the proposed Ordinance. Chairman French read the title of the item set to public hearing. Chairman French asked for public comment; none offered. The following motion was made by Commissioner Tipton and passed unanimously:

*To approve RH-22-20 as read into the record by the Chairman.*

*(Ordinance No. 11-07-22c)*

RH-22-21 Zone change request submitted by Regional Planning Commission on behalf of Blake Lambert and Gail E. Lambert to change the C (Commercial) zoning designation to M-3 (Open Land Use) zoning designation on property located at 24990 N US Hwy 95, Orovada, NV (APN 03-0421-17). Included on the on-line agenda for review was a copy of the Notice of Public Hearing and a copy of the proposed Ordinance. Chairman French read the title of the item set to public hearing. Chairman French asked for public comment; none offered. The following motion was made by Commissioner Cerri and passed unanimously:

*To approve the zone change request on RH-22-21 as read into the record by the Chair.*

*(Ordinance No. 11-07-22d)*

RH-22-22 Zone change request submitted by Regional Planning Commission on behalf of PWD Winnemucca, LLC to change the C (Commercial) zoning designation to GC (General Commercial) zoning designation on property located at 3575 & 3545 W Winnemucca Blvd/W Winnemucca Blvd (APN 10-0071-006, 13 & 03). Included on the on-line agenda for review was a copy of the Notice of Public Hearing and a copy of the proposed Ordinance. Chairman French read the title of the item set to public hearing. Chairman French asked for public comment; none offered. The following motion was made by Commissioner Tipton and passed unanimously:

*To approve RH-22-22 as read into the record by the Chairman.*

*(Ordinance No. 11-07-22e)*

DESERT MOUNTAIN SURVEY REQUEST TO WAIVE DEVELOPMENT STANDARDS FOR MITCHELL: Consideration, discussion and possible approval of a request to waive the development standards pursuant to HCC 16.32.170 for Chris and Sonya Mitchell's Parcel Map, PH-22-37, specifically the requirement for paving, curb gutter and sidewalks on 300 feet of Ada Vista Drive. Currently Ada Vista

Drive is a graveled road with no other improvements except for sewer and water. Chairman French read the title of the item. John H. Milton, III of Desert Mountain Surveying appearing on behalf of Chris and Sonya Mitchell reviewed the request for the Commission noting the prior similar request in June. Chairman French commented on the current state of Ada Vista and offered that it made no sense to make them meet the requirements on the lower end as the upper end does not have the improvements. Discussion ensued. Commissioner Hoss noted prior issues with roads not being brought up to county standards and questioned how this could impact the future of the area. Mr. Milton responded noting what conditions the Mitchell's must agree to. Discussion continued. Commissioner Hill did question how far does the Board go with this as this moves forward. Discussion ensued regarding how the County will need to deal with this development down the road. The following motion was made by Commissioner Tipton and passed unanimously:

*To approve the request to waive the development standards pursuant to HCC 16.32.170 for Chris and Sonya Mitchell's parcel map, PH-22-37, specifically the requirement for paving, curb gutter and sidewalks on 300 fee of Ada Vista Drive.*

PUBLIC WORKS DEPARTMENT: Director Don Kalkoske appeared before the Commission.

REQUEST TO REPAIR GUARDRAILS ON JUNGO ROAD: Consideration, discussion and possible approval of a request to repair guardrails on Jungo Road which were damaged in a vehicular accident and approve the lowest and most responsive offer for repair in an amount not to exceed \$99,000. These types of repairs are beyond the capabilities and expertise of the Road Division Crews and requires repair by specialty contractors. On October 26, 2022, quote packages were sent to several specialty contractors that perform this work with quotes due back by November 3, 2022, and will be made available to the County Manager's Office, the Board and the Public on November 4, as well as to the public at that time by requesting a copy. Director Kalkoske reviewed the request for the Commission noting that this is an emergency repair and that the quotes received were \$25,209.00 from Nevada Barricade and Sign and \$41,777.00 from Coral Construction and offered the recommendation to approve the request to Nevada Barricade and Sign; he noted that legal had reviewed the process. Commissioner Hill questioned if this was an accident which could potentially go against insurance. Director Kalkoske indicated that he had reached out to the Sheriff's Office but had not heard back but, if that does occur, he would refer the matter to the District Attorney's Officer to seek restitution. Commissioner Tipton asked about the location. Director Kalkoske responded noting the plan to extend to accommodate the length needed. The following motion was made by Commissioner Hill and passed unanimously:

*To approve the guardrail repair on Jungo Road in the amount of \$24,209.00.*

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REQUEST TO OBTAIN ALTERNATIVE FUNDING FOR REPAIRS ON NORMA DRIVE: Consideration, discussion and possible approval of a request to use ARPA funds, and/ or obtain alternative funding to complete repairs on Norma Drive from Delaney Drive to Shirley Lane in an amount not to exceed \$20,000 due to road degradation of the existing roadway structure. Norma Drive is an un-maintained County Road connecting Delany Drive. The Humboldt County School District has one stop for a disabled student on Norma Drive. This section of the road is badly degraded and needs repair and maintenance. Director Kalkoske reviewed the request for the Commission noting a prior request from School Superintendent Dr. Dave Jensen, the bad condition of the road and the availability of ARPA funding. Comptroller Rackley commented on the ability to use ARPA funds on this request noting that a request had come to the ARPA committee from the School District and the committee had approved the request; she explained how this request falls under the requirements; she confirmed that the funds are available. Commissioner Hill voiced concern about setting precedence by working on an unmaintained road though he does recognize that there is an obligation to get a student to an education system plus we must need to be concerned about the bus and damage could be costly which would impact taxpayers as well, so he believes that this is an understandable exception. Director Kalkoske explained his reasons for using ARPA funds so once they are gone, they are gone, and the funding will not be taken from the Road Fund; he stated that this will not make the road a county-maintained road. Chairman French commented on the requests from the School Superintendent which makes this request different plus the available funding source. Commissioner Cerri disagreed that a precedence would not be set and explained; he noted that he does feel that we have some type of obligation here but again the County has allowed a developer to come in and develop lots and not require the proper infrastructure so then the County is approached for repairs and maintenance. Discussion ensued. Commissioner Hoss suggested that the matter be returned to the school district, allow the ARPA funds but have them contract with a private business/individual to get the repairs done; he noted his concerns with the County doing this due to the precedence issues. Commissioner Tipton concurred. Superintendent Dr. Dave Jensen appeared before the Commission and stated there is no issue, if the Commission feels it is more appropriate to award the funds to the District and allow them to contract the work out; he did note his concern that the amount may not be sufficient as that was in-house by the Road Department so he would ask for some additional time to determine the cost and reapply for the ARPA funds. Dr. Jensen noted that there is a sense of urgency. Director Kalkoske commented on the quote and what needs to be done on this portion of road. Commissioner Tipton suggested that due to the expediency of this request, if the ARPA committee is allowed to okay the funds if it is legitimate, without coming back to the Commission for final approval, then Dr. Jensen can begin to

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look for contractors. Comptroller Rackley explained that the ARPA fund expenditures are regularly reported on to the Commission and that will continue through 2024; that the Commission could just allow the committee to add this project to the plan. Commissioner Cerri stated that the Commission supports the need but does not believe the county should do the work. No action taken on the item.

GENERAL ROAD PROJECTS: A presentation by Humboldt County Public Works Director Don Kalkoske to update the Board on Road projects within Humboldt County, 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. Director Kalkoske reported on road work on Soldier Meadows Road, road work preparing for winter, preparation for a SCADS assessment which will occur on December 5<sup>th</sup>, prepping the snowplows and the salt/sand mixing. Director Kalkoske reported on the status of snowcat unit and discussion ensued. Commissioner Hill thanked Director Kalkoske for information provided on another matter.

Chairman French recessed the meeting at 9:59 a.m. reconvening at 10:10 a.m. and returning to item 9 on the agenda.

SHERIFF: Under Sheriff Kevin Malone appeared on behalf of Sheriff Mike Allen appeared before the Commission (via Teams).

LIQUOR BOARD – Under Sheriff Malone convened the Liquor Board at 10:20 a.m. and reviewed the following 1<sup>st</sup> quarter liquor licenses with a recommendation for approval - Barry Wilkinson & Norman Calhoun - Quinn River Merc; J. Kennedy & D. Acorda - Paradise Valley Bar & Grill; Ted Rookstool - Windspur Supply; Giovanni & Shannon Giordano - Sawtooth Station; Parmjit Singh - BJ's Market; Nola Thomson - Club 40; Jeffery Siegel - Diamond Inn Bar; Micaela Fregoso - Pilot Travel Center; Kirandeep Kaur - A-1 Fuel Stop, Inc.; Joginder Lal - McDermitt Gas Lean Motel; Mateo Brambila - Valmy Chevron; Chloe Dufurrena - Say When Inc.; Page Anderson - Watering Hole #1; with one removal of the Rocky View Inn and consideration, discussion and possible approval for a new Liquor License for Denio Junction on behalf of Tiara Toco. Discussion ensued regarding the Club 40 location. Commissioner Hoss asked about the submission of these licenses for approval for 2023 by the current Sheriff rather than the incoming Sheriff. Under Sheriff Malone explained. The following motion was made by Commissioner Hill, was seconded and passed unanimously:

*To approve the thirteen first quarter licenses as presented.*

Consideration, discussion and possible approval for a new Liquor License for Denio Junction on behalf of Tiara Toco. Commissioner Tipton asked about an error related to the state listed on the application.

Under Sheriff Malone stated that was not an issue. The following motion was made by Commissioner French, was seconded and passed unanimously:

*To approve.*

Under Sheriff Malone adjourned the Liquor Board meeting at 10:23 a.m.

DISTRICT ATTORNEY'S OFFICE: District Attorney Michael Macdonald appeared before the Commission.

UPDATE REGARDING RESTITUTION: The District Attorney's office will provide an update to the Humboldt County Commissioners regarding the status of efforts to identify the owners of the fees paid for restitution over the past several years. District Attorney Macdonald offered a report on the progress made on restitution distribution, on the continued investigation into some funds and periods being looked at; he noted that this has went back to 2005/2006 and the efforts to trace every receipt and the time frame for completion. Discussion ensued with District Attorney Macdonald and Comptroller Rackley about the ability to provide an additional report at the December Commission meeting and that the outstanding balance is between \$20,000.00 and \$30,000.00. Commissioner Tipton asked if, with this process, has what occurred here been identified and a policy put in place to prevent it from occurring in the future. District Attorney Macdonald responded that the issue had been identified about a year ago and explained the changes that had been put in place both in the District Court and the Justice Court to address the issue. Comptroller Rackley noted that this would continue to be on the audit report as it was not addressed prior to July 1<sup>st</sup> and that it will remain until the issue is fully addressed. District Attorney Macdonald stated that it was quite a project and that they will stay at it until everything is addressed.

WINNEMUCCA EVENTS COMPLEX/AG DISTRICT #3: WCVA Director Kim Petersen appeared before the Commission.

REQUEST TO UPGRADE INSIDE LIGHTING: Consideration, discussion and possible approval of a request to upgrade lighting inside the Winnemucca Event Center. The total cost of the upgrade is \$40,000 with 50% of the total cost to be reimbursed in the future by the Ag. District #3 Board, in an amount not to exceed \$40,000. Director Petersen reviewed the request for the Commission. Discussion ensued regarding the cost which had originally been estimated at \$80,000.00 but that estimate is reduced, if any portion is being done in house, the benefits of this upgrade for various events, that this project was not included in the budget but based upon discussion with the Comptroller there is sufficient funding in the budget and that Ag 3 will pay one-half up to \$20,000.00. Commissioner Hoss asked about dust removal and how that is handled in the indoor arena noting its impact on the lighting and he questioned the cost for running these lights. Director Petersen responded. Discussion ensued regarding what this lighting plan will change, the concerns about the dust and the need to address and the need to upgrade the stock pens and

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bucking chutes. After discussion the following motion was made by Commissioner Hill and passed unanimously:

*To approve the lighting upgrade to the Events Complex not to exceed \$20,000.00 for the County and \$20,000.00 for Ag District number three for a total of \$40,000.00.*

Director Petersen noted an upcoming event on New Year's Eve.

LIBRARY: Library Director Jessica Anderson appeared before the Commission (via Teams).

REQUEST TO WAIVE ATTRITION POLICY: Consideration, discussion and possible action to waive the attrition policy to hire a Library Specialist for the Denio Branch. The position will become vacant December 15, 2022, due to a resignation. Director Anderson reviewed the request for the Commission. Assistant County Manager del Real-Nava clarified that this is the Library Specialist/Community position. After discussion the following motion was made by Commissioner Hill and passed unanimously:

*To waive the attrition policy to hire a library specialist/community for the Denio branch, this position will become vacant on December 15<sup>th</sup>.*

BUILDINGS & GROUNDS: Mitch Mauk appeared before the Commission on behalf of Buildings and Grounds.

REQUEST TO APPROVE TO ACCEPT A PROPOSAL FOR THE DETENTION CENTER INTAKE SHOWER UPGRADE AND TO ACCEPT PROPOSAL TO REPLACE: To accept the bid proposal from KAP Mechanical Services LLC for the Humboldt County Detention Center Intake Shower Upgrade project in an amount not to exceed \$168,000. Angela Hansen for CTA Architects reviewed the proposal for the Commission stating that one bid had been received which is in excess of their estimate. Commissioner Tipton asked about additional work that may need to be done with other showers. Ms. Hansen responded. Discussion ensued regarding that the amount budgeted is not sufficient to cover the improvements for the three shower locations originally planned for and what is involved with this site to make it ADA compliant as well as the security requirements which add cost and what has to be looked at for the future. Commissioner Hill noted his concern that the amount of this bid is so far over the estimate and that there is only one bid; he noted because of these issues he does not know how the Commission can make an informed decision; that if two competitive bids can't be brought to the Commission it shouldn't be considered unless it is a specialty situation. Commissioner Tipton questioned what needs to happen to get more contractors to bid. Commissioner Hill suggested increasing the advertising for the bids. Commissioners Cerri and Hill agreed that this needed to be put back out to bid. Under Sheriff Malone offered comment (via Teams) noting the concerns that this is an ADA compliance situation and explained why they believe this needs to move forward. Commissioner Hill stated his understanding but noted that he does not believe that allows the

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Commission to be backed up against a wall with no competitive bid. Commissioner Cerri noted that the County has a number of ADA situations that need addressed. Commissioner Hoss stated his agreement with Commissioner Hill as this is unacceptable. Commissioner Hill noted his concerns with not having a competitive bid and how that allows for an informed decision. Discussion ensued regarding the possible impact of waiting and the benefits of having competitive bids in weighing a decision. Ms. Hansen commented on how the bid was advertised. Discussion ensued as to how to proceed. Commissioner Hoss asked why we are using Ms. Hansen and Mike Sheppard to do County duties. Ms. Hansen responded that Mr. Sheppard is the owner representative and explained how the process works. Discussion ensued. Chairman French suggested that if the Commission sets a record with this and basically states for the record that if you are unable to put together two bids, then we will see you when you do and offered how this would work. Discussion ensued as to what occurs if only one bid is received again, that contractors are becoming more available and how to proceed. The following motion was made by Commissioner Hill and passed unanimously:

*To reject the KAP Mechanical bid and to re-open the RFP for the detention center shower intake project for sixty days.*

Ms. Hansen stated that they would work with the County Manager and Mr. Sheppard to get that done.

MCDERMITT LIBRARY ROOF: Consideration, discussion and possible approval of the following: To accept the proposal from CTR Roofing to replace the McDermitt Library Roof in an amount not to exceed \$29,560. Included on the on-line agenda for review was a staff report explaining that two bids had been received from CTR Roofing for \$29,560.00 and from State Roofing for \$32,760.00. Discussion ensued regarding what services Garland provided the County as to roofing and whether there was an estimated amount for this project. Discussion ensued regarding the removal of the old roof and what it is included in the bids related to that. The following motion was made by Commissioner Hill and passed unanimously:

*To accept the proposal from CTR Roofing to replace the McDermitt Library Roof in an amount not to exceed \$29,560.00.*

REQUEST TO APPROVE A LETTER CONFIRMING COOPERATING AGENCY STATUS FOR BLM ENVIRONMENTAL ASSESSMENT PROPOSING ROAD REROUTE WITHIN SOLDIER MEADOWS AREA: Consideration, discussion and possible approval of a letter confirming the County's Cooperating Agency status regarding the BLM's preparation of an Environmental Assessment (EA) to analyze a proposed road re-route within the Soldier Meadows Area of Critical Environmental Concern, reference 1613 (NVW030.03), and to authorize County Manager Dave Mendiola to sign the letter. Chairman French reviewed the request to the Commission noting that this allows the roads to remain as RS2477 designees

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and that this provides us access to the process noting that it will involve effort on the county's part. Director Kalkoske offered comment. The following motion was made by Commissioner Tipton and passed unanimously:

*To approve a letter confirming the County's Cooperating Agency status regarding the BLM's preparation of an EA to analyze a proposed road re-route within the Soldier Meadows Area of Critical Environmental Concern, reference 1613 (NVW030.03), and to authorize County Manager Mendiola to sign the letter.*

REQUEST TO APPROVE THE WILDFIRE PREVENTION & MANAGEMENT PUBLIC LAND USE CHAPTER: Consideration, discussion and possible approval of the Wildfire Prevention & Management Public Land Use chapter as part of the Humboldt County Public Land Use Management Plan. Chairman French reviewed the request for the Commission. Discussion ensued with Manager Mendiola reviewing the process involved. Commissioner Cerri noted the importance of this chapter and stated that it looks like we have it pretty well covered. Discussion ensued as to why this took the length of time, the importance of the County having a say in fire management due to the amount we pay NDF for insurance, the involvement of the fire chiefs and emergency management, meetings that the BLM has with the fire departments and what is included in this chapter related to that cooperative agreement. The following motion was made by Commissioner Cerri and passed unanimously:

*To approve the Wildfire Prevention and Management Public Land Use Planning Chapter.*

#### MISCELLANEOUS REPORTS AND CORRESPONDENCE:

- 1) Other information and upcoming meetings: The following meetings were noted on the agenda: November 8, 2022 Winnemucca City Council Meeting, November 10, 2022 Regional Planning Commission Meeting, November 21, 2022 Humboldt County Commission Meeting and November 22, 2022 Winnemucca City Council Meeting.
- 2) Reports from Commissioners regarding other Boards and Committees on which they serve: Commissioner Tipton reported on a meeting with the new incoming Commissioner Evatz and a Hospital Board meeting. Commissioner Cerri reported on a WCVA meeting and a meeting he had with BLM in Colorado and discussed the process related to grazing (Commissioner Hill exited the meeting at 11:49 a.m.) and that there will be future meetings scheduled; he noted the assistance that Andy Rieber has provided. Discussion ensued regarding horses being brought into the BLM facility in Paradise Valley. Commissioner Hoss reported on a Landfill Committee meeting. Chairman French reported on a Public Lands Steering Committee meeting and noted that he would be willing to continue working on natural resource issues for the County if the Commission would like that. Commissioner Cerri asked that an item be placed on an agenda regarding the

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formation of a natural resources committee and offered comment. Chairman French concurred and offered comment. Chairman French continued reporting on his Public Lands Steering Committee meeting.

FUTURE AGENDA ITEMS: Commissioner Cerri noted his earlier request to have discussion on forming a natural resources committee. Manager Mendiola confirmed that he had noted that. Commissioner Hoss asked that the purchase of Gold Country Water and additional water rights be looked at closer prior to any decision being made at the next meeting. Discussion ensued. Deputy District Attorney Maddox asked that any discussion on this be agendaized for a meeting. Chairman French asked what type of meeting/item Commissioner Hoss is requesting. Commissioner Hoss stated that he believes that the brakes need to be put on and this process needs to be slowed down and explained. Chairman French stated that this response is as to the future agenda items but that he does not believe that we need to tap the brakes on this project rather we should accelerate if we can in order to take care of this issue, so he is willing to schedule that with all issues identified which will help the Commission to determine the best course of action. Commissioner Hoss noted the emails received and the lack of response to the questions by the engineers. Chairman French stated those are the questions he would want to see listed as he does not have the same questions and explained; he stated that he and several of the other Commissioners are of the feeling that we either need to say yes to move forward or not and to say no is to return funds to the State Revolving Fund; he asked again if there needs to be a special meeting or make it a part of the next meeting and explained what he could do with any such meeting. Chairman French and Commissioner Hoss discussed what had been done to this point. Chairman French suggested at the minimum an hour-long section needs to be identified to discuss the issue on the next agenda and if the is not sufficient he will put together a special meeting. Manager Mendiola noted the receipt of the report from Shaw Engineering and explained the attempt to schedule a meeting related to this and the receipt of answers to the assessment from Mark Foree and his principals; he noted the intent to try and address this at the meeting of the 21<sup>st</sup> and explained. Discussion ensued including when the meeting for the Gold Country item would be scheduled. Manager Mendiola reviewed other items for the agenda including the LATS funds discussion, the earned interest discussion and a final restitution report on December 12<sup>th</sup>.

PUBLIC COMMENT: Chairman French asked for public comment. Deputy District Attorney Maddox informed the Commission as follow up to the earlier discussion what has occurred with reaching out to the Winnemucca Rural volunteer fire fighters. No further public comment was offered.

ADJOURNMENT: Chairman French adjourned the meeting at 12:37pm

ATTEST: \_\_\_\_\_ APPROVED: \_\_\_\_\_  
Clerk Chairman

*(Minutes approved by the Commission and signed by the Chairman on \_\_\_\_\_)*

UNAPPROVED/UNOFFICIAL



**Humboldt County Board of Commissioners  
Monday, November 18, 2022, at 9:00 a.m.  
Meeting Minutes**

Those present were Chairman Jim French, Commissioners Jesse Hill (via Teams), Ron Cerri (via Teams), Ken Tipton and Tom Hoss, County Manager Dave Mendiola, Asst. County Manager Abel del Real-Nava, Clerk of the Board Tami Rae Spero and Deputy County Clerk Jessica Aguiar-Koepke (via Teams). No legal counsel present.

CALL TO ORDER: Chairman French called this special meeting to order at a special place of meeting the Winnemucca City Council Chambers, City Hall, Winnemucca, Nevada.

PLEDGE OF ALLEGIANCE: All in attendance recited the Pledge of Allegiance.

PUBLIC COMMENT: Chairman French asked for public comment; none offered.

COUNTY CLERK: Humboldt County Clerk Tami Rae Spero appeared before the Commission.

CANVASS OF THE RETURNS FOR THE NOVEMBER 8, 2022 GENERAL ELECTION: Consideration, discussion, and possible approval to accept Canvass of the November 8, 2022, General Election Returns for all precincts and districts within Humboldt County as required by NRS 293.387(1). Clerk Spero stated that copies of the Election Summary Report, the Statement of Vote and the final turn out report as provided to the Secretary of State for the November 8, 2022 General Election had been provided to the Commission for their review; she noted that copies were also provided to anyone who had requested the information at the same time as they were provided to the Board and that the items had been posted on the County website in the Elections section. Clerk Spero explained the purpose of the reports provided. Chairman French asked what the turn out overall was for each party. Clerk Spero reviewed the totals by party by voting types. Chairman French asked about the turnout versus the voters registered in the County based on questions he had received from the public that more people voted than were registered here. Clerk Spero stated that was not the case and referred to the information in the Summary Report. Kim Christopherson appeared before the Commission stating that she is appearing on behalf of people who have had problems noting that there are several places where there are discrepancies found and asked questions with responses provided related to the comparison of turn out between mail-in balloting and in-person voting, complaints received from voters who had not received their mail-in ballot, the number of undeliverable ballots and how that is handled, how many voters who returned mail-in ballots but those ballots were not counted have contacted the Clerk's Office, how signature cure is handled and the time-frame for that process, the use of Ballot Trax and when the vote history is uploaded to the Secretary's website. Deputy Secretary of State for Elections Mark Wlaschin appeared before the Commission via Teams and discussed how the Ballot Trax services operate and responded to questions. Ms.

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Christopherson continued with questions about Ballot Trax. Based on a question from Chairman French, Clerk Spero explained the signature verification process for Humboldt County including required training, who goes through said training, the steps taken when a signature does not match, how Same Day Registration signatures/voters are verified, the use of drop boxes in Humboldt County and ballot harvesting in Humboldt County. Ms. Christopherson asked about the numbers associated with curing. Deputy Clerk Aguiar-Koepke responded. Ms. Christopherson asked about the envelopes and the identification of party. Clerk Spero explained the process. Chairman French addressed the Secretary of State's Office representatives related to ballot harvesting stating that he had received reports from residents regarding harvesters purchasing ballots on behalf of one party and delivered those ballots back to the County; he asked what the statistics are for that and noting that when something that was illegal is legalized there needs to be a justification for that. Clerk Spero commented on what occurs with an attempt to vote twice. Discussion ensued as to ballot harvesting. Deputy Secretary of State Wlaschin responded noting the efforts by the State to pursue any signs of impropriety or violations of Title 24; he asked to follow up with Chairman French as to the reports he has referenced; he commented on ballot harvesting but stated that he has not heard of offers to pay for ballots so he would like to discuss that. Chairman French questioned how you follow up on ballot harvesting as there is no registration offering comments on the need to install confidence in elections as these types of changes have cast a pall over the integrity of the process. Deputy Secretary of State Wlaschin responded with assurances as to what is being done to address concerns. Clerk Spero noted the process to file an election integrity report when issues of these types arise. Commissioner Hoss asked about the extension of the time to receive mail-ballots and how that could be rolled back. Clerk Spero responded that would be a legislative change. Discussion ensued. Tebeau Piquet offered comment on the timeframe for mailing locally. Clerk Spero responded. Discussion ensued regarding concerns with mail-in balloting and signature verification. Mr. Piquet asked that this matter be referred to NACO. Chairman French stated that he would bring it up and Manager Mendiola stated he would bring it up at the NACO legislative meeting as well. Ella Hight addressed the Commission via Teams and spoke in support of paper ballot voting in person on election day unless specific requirements are met such as military assignment. Discussion ensued regarding the voting systems and equipment including investigations done on malfunctions and integrity reports. Commissioner Tipton commented on the impact of these voting concerns on the turnout. Discussion ensued. Ms. Christopherson commented on individuals who had their voter registration status switched at the DMV which the DMV is denying; she requested information on that from the State. Deputy Secretary of State Wlaschin responded and explained. Discussion ensued. Ms. Christopherson asked how

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many individuals were affected in Humboldt. Deputy Secretary of State Wlaschin responded. Ms. Hight offered comment in opposition to the DMV registering votes and questioned why that is occurring. Deputy Secretary of State Wlaschin responded and explained. Ms. Christopherson asked about the Dominion contract and the internet connectivity availability. Clerk Spero and Deputy Secretary of State Wlaschin responded. Ms. Christopherson voiced her concern about certifying the election at this point due to the number of people that assume their ballot went through but, due to issues that have been identified with different aspects of the ballot processes, it has not. Clerk Spero noted that while she understood the concerns, even if a ballot was received today, or signature verified, we are past the point for that ballot to be counted and, in addition, today is the last day for the County to certify as on the 22<sup>nd</sup> the results go to the Supreme Court for certification. She offered to provide a report to the Commission regarding the numbers discussed such as undeliverable ballots, late ballots, comments received and such. Chairman French suggested that more information is better. The following motion was made by Commissioner Tipton and passed unanimously:

*To accept the canvass for the 2022 General Election final for Humboldt County as presented.*

Clerk Spero offered thanks to the poll/election workers, the Humboldt County family including the Commission, all departments, custodial and buildings & grounds, IT, the County Manager's Office, the Library and the Clerk's Staff for all the help and support during this election cycle. She offered her thanks to the people of Humboldt County.

PUBLIC COMMENT: Chairman French asked for public comment. Tebeau Piquet asked about the mask status for the County and spoke in opposition to any mask requirements. Chairman French stated that there is no proposal for the County to do anything of that sort. Commissioner Tipton commented on what the plan is for the hospital. No further public comment offered.

ADJOURNMENT: Chairman French adjourned the meeting at 11:04 a.m.

ATTEST: \_\_\_\_\_ APPROVED: \_\_\_\_\_  
Clerk Chairman

*(Minutes approved by the Commission and signed by the Chairman on \_\_\_\_\_)*



**Humboldt County Board of Commissioners  
Monday, November 21, 2022, at 8:30 a.m.  
Meeting Minutes**

Those present were Chairman Jim French, Commissioners Ken Tipton, Ron Cerri, Jesse Hill, and Tom Hoss, District Attorney Michael Macdonald, County Manager Dave Mendiola and Clerk of the Board Tami Rae Spero.

CALL TO ORDER: Chairman French called the regular meeting to order at a special place of meeting the Winnemucca City Council Chambers, City Hall, Winnemucca, Nevada.

STAFF REPORT: Staff report provided to the Board (see attached).

PLEDGE OF ALLEGIANCE: All in attendance recited the Pledge of Allegiance.

PUBLIC COMMENT: Chairman French asked for public comment; none offered.

APPROVAL OF MINUTES: Discussion and action on correction/approval of minutes for discussion and action on correction/approval of minutes for March 27, 2017 (Budget Hearing); April 3, 2017; May 1, 2017 (Joint); May 15, 2017; June 19, 2017; July 10, 2017; August 7, 2017 (Joint); August 21, 2017; December 11, 2017 (Joint); January 16, 2018; January 29, 2018 (Retreat); February 5, 2018; February 20, 2018; March 5, 2018; April 2, 2018 (Budget Hearing); April 9, 2018; August 6, 2018; August 20, 2018; September 17, 2018; October 1, 2018; October 15, 2018; March 18, 2019; March 25, 2019 (Budget Hearings); April 1, 2019; May 6, 2019; May 15, 2019 (Special); May 20, 2019; June 3, 2019; June 17, 2019; June 25, 2019 (Special); August 5, 2019; August 19, 2019; September 3, 2019; September 16, 2019; October 21, 2019; November 4, 2019; November 25, 2019 (Special); December 16, 2019; January 6, 2020; January 21, 2020 (Combined Regular and Retreat); February 3, 2020; March 2, 2020; March 19, 2020; April 6, 2020; April 14, 2020 (Special); April 20, 2020; May 4, 2020; June 15, 2020 (Joint); July 17, 2020 (Special Joint); July 20, 2020; August 17, 2020; August 20, 2020 (Special Meeting); September 8, 2020; September 21, 2020; September 30, 2020 (Special); October 5, 2020 (Special Joint Meeting); October 19, 2020; November 9, 2020; November 13, 2020 (Special Canvass); November 23, 2020; December 14, 2020; January 4, 2021; January 25, 2021 (Special Meeting); February 8, 2021; February 22, 2021 (Special Joint Meeting); February 22, 2021; March 22, 2021; March 29, 2021 (Budgets); April 8, 2021 (Special Meeting); June 21, 2021; July 19, 2021; August 9, 2021; August 12, 2021 (Special Meeting); August 23, 2021; September 20, 2021; November 8, 2021; and November 22, 2021; January 3, 2022; January 24, 2022 (Commission Retreat), March 7, 2022, March 21, 2022; May 2, 2022; May 16, 2022; September 19, 2022 (Regular Meeting); and November 7, 2022. No minutes submitted for consideration.

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APPROVAL OF EXPENDITURES FOR HUMBOLDT COUNTY FOR NOVEMBER 7, 2022 THROUGH NOVEMBER 21, 2022: The following motion was made by Commissioner Hill, who stated that he would be abstaining from action on the Rural Fire expenditure as he has a check included, and passed unanimously:

*To approve the expenditures for November 7<sup>th</sup> through November 21<sup>st</sup>.*

PROCLAMATION: NEVADA DONOR NETWORK: Consideration, discussion and authority to allow Dave Mendiola to sign a proclamation for the Nevada Donor Network on behalf of the board honoring community members who have done extraordinary things. The following motion was made by Commissioner Hill and passed unanimously:

*To allow Dave Mendiola to sign a proclamation for the Nevada Donor Network on behalf of the Board honoring community members.*

*(Resolution No. 11-21-22)*

BUREAU OF LAND MANAGEMENT - MARTIN FIRE REHABILITATION UPDATE: The Winnemucca District Interagency Fire Management Officer Donovan Walker will provide an update to the Commissioners regarding efforts to rehabilitate the federal lands that were affected by the Martin Fire in 2018. Derek Messmer Assistant Fire Manager for the BLM Winnemucca District appeared before the Commission and provided maps to the Board for review. Manager Messmer reported on seeding accomplished and what is planned moving forward. Discussion ensued regarding the composition of the seed used, where funding is being found and location plantings. Manager Messmer continued reporting on the rehabilitation planned for the Denio Summit area. Commissioner Cerri asked how the WSA is being addressed. Manager Messmer explained. Discussion ensued regarding the location of Medusa Head within the WSA. Commissioner Cerri asked about the status of the suspended AUMs for ranchers. Manager Messmer responded that he did not believe any AUMs had been suspended, but that agreements were entered and, to his knowledge access has been restored. Discussion ensued regarding fence repairs in the burn areas. Commissioner Hoss asked about treatment of cheat grass. Manager Messmer responded, and discussion ensued. Chairman French asked that a future agenda item be set to discuss. Commissioner Cerri asked if firebreaks had been created in the areas being restored. Manager Messmer confirmed that had occurred and explained.

NEVADA ASSOCIATION OF COUNTY OFFICIALS (NACO) PRESENTATION: NACO Executive Director, Vinson Guthreau would like to make a 10–15-minute presentation to the Board as an effort to visit each

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member county to provide a brief overview and updates regarding NACO. Director Vinson Guthreau appeared before the Commission. Director Guthreau reviewed how NACO is governed and who is currently on the Board of Directors, affiliate non-voting members, the mission of NACO, the resources available, how dues are calculated for the counties, staffing of NACO, education resources, conferences, support and advocacy provided including with the Legislature, federal issues and statewide issues, what occurred with the 2021 Legislative session including bills that passed, what is planned for the 2023 Legislative session, additional support provided by NACO, involvement with the National Association of County Officials including national committee involvement such as National Policy Steering Committees and the Western Interstate Region and resources available from the National Association and upcoming events. Commissioner Cerri asked how the vacancy will be filled for WIR with Commissioner French's retirement. Director Guthreau responded. Commissioner Hill asked about NACO's stand on election processes given what have been heard following the General Election. Director Guthreau responded. Chairman French offered comment on what had been seen at the canvass of the vote including how NACO might become involved. Director Guthreau responded. Discussion ensued.

**RISK MANAGEMENT - PRESENTATION BY POOL/PACT ON THE ENTERPRISE RISK MANAGEMENT EXCELLENCE PROGRAM:** Presentation by Marshall Smith, Risk Manager, and Jarrod Hickman, Risk Management Specialist with POOL/PACT on the organization's Enterprise Risk Management Excellence Program and Humboldt County's participation in the program via its Safety Committee. Marshall Smith and Jarrod Hickman appeared before the Commission. Mr. Smith reviewed the program for the Commission including the purpose of the program, what the program does for the County, what it involves including financial awards and the goals, and what questions are involved with the assessment survey. Mr. Hickman noted the importance of a buy-in from the top down, including the Commission. Commissioner Hill noted concerns given that there is currently another survey being conducted and he does not want the departments to be overwhelmed. Discussion ensued.

**NDOT PRESENTATION:** A presentation by the Nevada Department of Transportation (NDOT) regarding the county consultation process, NDOT annual work program within the county, and the One Nevada process. NDOT Director Kristina Swallow appeared before the Commission and reviewed a power point presentation for the Commission including mileage and fuel/diesel tax collection for Humboldt County, the Rural Engagement Process including changes to said process, local workshops, the One Nevada Transportation Process Plan including the needs identification and analysis, moving projects through the

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project development cycle, NDOT Districts 2 and 3 projects and initiatives including truck plaza turn lanes, speed feedback signs in Orovada, pavement preservation projects and cattleguard improvements, the 2023-2024 work program including the Winnemucca pedestrian and safety improvements and work on SR 787, US 95, I-80, transit investments and projects. Discussion ensued regarding the ADA projects proposed, the condition of Hanson Street and how that is being looked out and concerns about US 95. Director Swallow continued discussing the passing and climbing lane study. Commissioner French offered comments on the issues with US 95 which have continued to increase, and the discussion related to an I-11 corridor. Director Swallow responded, commenting on the need to look at the priorities across the State. Commissioner Cerri commented on his frustration as passing lanes on US 95 have been the number one priority of this Commission in all his years on the Board. Director Swallow responded, commenting on the benefit of the studies and the hope that, in the spring, there will be a more robust discussion on what needs to occur. Chairman French commented that this issue has been a stand-alone for over ten years and asked how this Commission can be part of this process. Director Swallow responded. Chairman French asked that Director Swallow think outside the box as to what the County can provide and noted the Commission's frustration when contacted by the public. Sondra Rosenberg, Assistant Director for Planning offered comment as to how the funding is being changed to allow for combining of safety and preservation projects which would improve the ability to address resurfacing and turning lane projects concurrently. Discussion ensued. Director Swallow continued reviewing the availability of assistance with Local Road Safety Plan development. Discussion ensued. Director Swallow continued reviewing the Bipartisan Infrastructure Law and its impact in Nevada and the next steps including implementation of the annual work program, continuing collaboration between NDOT and County/City staff and continuing the data driven One Nevada Process. Chairman French commented on the approval of the diesel tax, which included funding for truck parking and rest areas, but locally those are being closed and he asked what has happened, as it is difficult to answer the public when they question that. Director Swallow responded explaining what is occurring in the State though not directly in Humboldt County and what is being looked at as to rest area maintenance; she offered to provide an update on the local rest areas. Commissioner Tipton asked how highway funding will be impacted with the increase in electric vehicles on the roadways. Director Swallow responded explaining what has been occurring and what is planned going forward. Commissioner Tipton asked what the State is looking at to replace asphalt with the move towards doing away with fossil fuels. Director Swallow

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responded. Commissioner Cerri asked about staffing issues for NDOT and what the plan is to address the problem. Director Swallow responded noting issues with salaries and what has been occurring to address the issue.

Chairman French recessed the meeting at 11:25 a.m. reconvening at 11:30 a.m.

COMPTROLLER: Comptroller Gina Rackley appeared before the Commission.

FINANCIAL REPORT: Humboldt County Comptroller Gina Rackley will provide an overview of current conditions with respect to Humboldt County revenues and expenditures for fiscal year 2023 (July 1, 2022 through June 30, 2023), including an update on the American Rescue Plan Act (ARPA) and other funding available to the County. Comptroller Rackley informed the Commission that a quote had been received by Dr. Jensen from Hunewill related to the repairs on Norma Drive and that quote had been circulated to the ARPA Committee and was approved so that project will begin soon; she continued explaining that a request for an extension for the County audit had been made and noted when the audit presentation would occur. Commissioner Hoss asked about ARPA fund usage. Comptroller Rackley responded.

TREASURER: Treasurer Rhona Lecumberry appeared before the Commission.

ROLL ADJUSTMENT: Consideration, discussion and possible approval pursuant to NRS 361.768 to direct the Treasurer to adjust the Real Property Tax Rolls for APN's: 10-0625-05/Peacher, 08-0603-09 & 08-0603-10/Hardy for 2022-2023 and for APN: 16-0611-01/Schomer for 2021- 2022 and 2022-2023. Treasurer Lecumberry reviewed the request for the Commission. The following motion was made by Commissioner Cerri and passed unanimously:

*To approve the Treasurer's Roll adjustments as presented on the agenda.*

RECORDER: Recorder Debbie Engstrom appeared before the Commission via Teams.

REQUEST TO WAIVE ATTRITION POLICY: Consideration, discussion and possible approval to waive the attrition policy to hire for the Administrative Clerk IV position which will become vacant January 1, 2023. Recorder Engstrom reviewed the request for the Commission. The following motion was made by Commissioner Cerri and passed unanimously:

*To approve the request to waive the attrition policy for the Recorder's Office to hire an Administrative Clerk IV position which will become vacant on January 1, 2023.*

ASSESSOR: Assessor Andy Heiser appeared before the Commission.

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REQUEST APPROVAL OF A FIVE-YEAR IMAGERY FLIGHT CAPTURE AGREEMENT AND APPROVAL TO SEND OUT AN RFP TO RECEIVE A COUNTY-WIDE FLIGHT: Consideration, discussion and possible approval of the following:

A) A five-year imagery flight capture agreement with Pictometry and to authorize Assessor Andy Heiser to sign the agreement in an amount not to exceed \$281,948.80, pending review and approval of the District Attorney's Office. Assessor Heiser reviewed the request for the Commission. Commissioner Cerri and Commissioner Hill offered their thanks for the Assessor doing this as it is a benefit to the taxpayers due to the savings. After discussion the following motion was made by Commissioner Tipton and passed unanimously:

*To approve the five-year contract between Pictometry and to authorize Assessor Andy Heiser to sign the agreement in an amount not to exceed \$281,948.80.*

B) A request to go out to a Request for Proposal (RFP) to receive and to award a county-wide flight once every three years. Assessor Heiser reviewed the request for the Commission. The following motion was made by Commissioner Hill and passed unanimously:

*To allow the Assessor to go out and obtain an RFP for a county-wide flight once every three years and to bring the proposals back to the Board.*

PUBLIC WORKS DEPARTMENT: Director Don Kalkoske appeared before the Commission via Teams.

GENERAL ROAD PROJECTS: A presentation by Humboldt County Public Works Director Don Kalkoske to update the Board on Road projects within Humboldt County, 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. Director Kalkoske reported that sand and salt have been obtained and equipment has been reviewed for winter and the crews have just been working on roads pending the need to move into snow removal; he reviewed where the local crews are working. Commissioner Hill asked about staffing. Director Kalkoske responded indicating once the new mechanic comes on in mid-December they will be fully staffed.

TECHNOLOGY SERVICES: Technology Services Manager Mike DeTullio appeared before the Commission via Teams.

REQUEST FOR SIGNATURE ON BLM COMMUNICATION SITE RIGHT OF WAY: Consideration, discussion and possible approval of the following: Request for signature of the Chairman or Vice Chairman on the BLM Communication Site Right-of-Way for Double H Communication site #N-101569 formerly N-6485.

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Manager DeTullio reviewed the request for the Commission. The following motion was made by Commissioner Tipton and passed unanimously:

*To approve the Technology Services Department request as presented and to authorize Chairman French to sign on the BLM communication site right-of-way for Double H communication site #N-101569 formerly N-6485.*

APPROVAL OF CONTRACT FOR MCDERMITT TELECOMMUNICATIONS IMPROVEMENT PROJECT: Consideration, discussion and possible approval of the following: Approval to award contract for the McDermitt Telecommunications Improvement Project Phase "2" bid to Premier Wireless Services in an amount not to exceed \$237,670. Manager Mendiola explained that a protest had been received as to the lowest bid received as the bid bond was not included. After discussion the District Attorney indicated that the item would be heard at the next meeting to allow time to properly address the protest. Based on concerns voiced by Commissioner Hoss as to the longevity of the buildings previously approved Manager DeTullio explained that there are no anticipated changes, and the plan is to move forward with these facilities for at least the next five-years; he asked that Commissioner Hoss provide him with the information he had received so he can address the matter further.

APPROVAL OF VEHICLE LEASE BUYOUT: Consideration, discussion and possible approval of the following: Approval to buy out a lease on a 2018 Chevy Suburban from Enterprise Fleet Management, Inc. in an amount not to exceed \$14,210.52, and to have the Chairman or Vice Chairman sign documents related to the purchase. Manager DeTullio reviewed the request for the Commission. After discussion the following motion was made by Commissioner Cerri and passed unanimously:

*To approve the Technology Services Department request as presented to buy out the lease of a 2018 Chevy Suburban from Enterprise Fleet Management in an amount not to exceed \$14,210.52 and to have the Chairman sign the paperwork.*

Chairman French recessed the meeting at 10:17 a.m. reconvening at 10:25 a.m. and returning to agenda item ten as the representatives for the Nevada Department of Transportation were present.

2023 COUNTY CALENDAR: Consideration, discussion, and possible approval of the 2023 County Manager's Calendar of Events, including dates for County Commission meetings and other internal events. Manager Mendiola noted that this is the first review of the calendar for the Board and explained that no action is required at this time as the item will come back on the 12<sup>th</sup> of December for final approval. The Commission offered no changes at this time.

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Chairman French recessed the meeting at 11:35 a.m. to reconvene at 1:32 p.m.

1:30 PM - GOLD COUNTRY ACQUISITION DISCUSSION:

A) An overview of the assessment by Shaw Engineering of the Gold Country Water Preliminary Engineering Report (PER) completed by One Water Consulting for Gold Country Water in early 2022.

B) Consideration, discussion and possible approval of the following: The following agreements, subject to addition of language by bond counsel and approved by Counsel for parties, as well as, subject to addition of exhibits/ attachments to the agreement. Cody Black with Shaw Engineering appeared before the Commission and commented on his tour of all the facilities, that, as noted in the report, the system is in good repair though there are some items due to age and changes in standards over the years; that the PER was done well; that there needs to be proper testing when the new well is drilled and that care needs to be taken when doing the drilling; he commented on the airport wells and challenges with those; he explained his recommendation would be to take the money and place it on a new well and commented on this proposal; he commented on the well heads and the standards under which they were constructed. Discussion ensued regarding the inclusion of a new tank which is not required. Commissioner Cerri asked about lines being buried in a common trench. Mr. Black responded explaining that it is still allowed. Commissioner Tipton asked what the requirements are for a commercial well and the status of the VFD. Mr. Black responded. Commissioner Cerri asked about the necessary depth of a new well. Mr. Black responded somewhere between 300 and 400 feet. Discussion ensued with Mark Foree regarding the well depth on the current wells as well as the proposed depth of the new well and its life expectancy at the proposed depth as well as the location, the continued use of well one and the number of wells owned by Gold Country at the airport. Based on a question by Commissioner Cerri, Ms. Ure-Stix explained how the rights work on wells one, two and three.

B) Consideration, discussion and possible approval of the following agreements, subject to addition of language by bond counsel and approved by Counsel for parties, as well as, subject to addition of exhibits/ attachments to the agreement.

1) An acquisition agreement with Gold Country Water. Ms. Ure-Stix reviewed the agreement for the Commission noting that it protects the County, the County interests and allows for time to address outstanding issues. Commissioner Cerri asked about section 1.4 related to the surcharge account. Mr. Foree explained how the funds are used to pay the debt service payments. Discussion ensued regarding the amount included in the account. Commissioner Cerri stated that the account should go with the

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sale. Mr. Foree agreed that was part of the agreement. Commissioner Hill asked when the last PUC inspection was done. Mr. Foree stated maybe 2011 noting that those are scheduled by the PUC and explained what is done during the inspection. Based on a question from Commissioner Hoss, Mr. Foree explained what NDEP does for water monitoring as well as what the Bureau of Safe Drinking Water does as to inspections. Commissioner Cerri asked about section 2.7 subsection c questioning, if that is the amount we would be asking for from the State Revolving Fund, and if that amount is actually guaranteed. Manager Mendiola and Mr. Black responded. Mr. Foree commented that this project is number one on the State Revolving Fund's list. Discussion ensued. Commissioner Hoss asked how the amount was determined. Manager Mendiola and Mr. Foree responded. Commissioner Cerri asked about item three and what exactly this is costing the County. Manager Mendiola and Mr. Foree responded explaining the cost of the new well, the purchase of the system from Gold Country and the connection with Star City Water System. Discussion ensued regarding the servicing of the debt under the current fee structure, that the State Revolving Fund financing is essentially a grant and what the Fund requires to approve this, that the additional \$50,000.00 in funding for the consolidation with Star City is included in the PER and how the prior debt will be handled. Commissioner Hoss asked how the funding will be obtained for managing the system as identified by the Public Works Director. Director Don Kalkoske (via Teams) commented on his concerns with the interconnection with Star City and the cost identified given the times we are in and noted possible costs of items that will need to be addressed in three to four years. Mr. Foree offered comment. Discussion ensued. Commissioner Hill asked if the emergency tie-in to the Star City system is sufficient to blend these systems. Mr. Foree responded. Chairman French offered comment on what is being considered noting that this is an opportunity for the County to create a bridge for an area that has water quality issues which allows for the time to address the nitrate issues in the area; he noted his belief that the Commission has a health and safety responsibility for the residents in this area. Discussion ensued regarding the cost estimate for the new well. Commissioner Cerri asked about the March date indicated in the agreement. Manager Mendiola responded. Ms. Ure-Stix offered comment. Commissioner Cerri asked Director Kalkoske if he believes he can get what needs to be done by February 1<sup>st</sup>. Director Kalkoske responded indicating that it is a tight crunch with everything going on currently, but they will get it done. Mr. Foree commented on the timeframe for the PUC approval and his concerns with the nitrate levels, which is why they wanted to try and get this done as quickly as possible to allow for the well design to begin. Discussion

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ensued regarding that the PUC and the due diligence could run simultaneously and that the due diligence date could be extended to February 14<sup>th</sup>. Commissioner Cerri stated that this agreement should be subject to approval of the State Revolving Fund financing. Ms. Ure-Stix noted language in the agreement related to that requirement. Commissioner Cerri stated that as long as that is in there, he feels more comfortable. Discussion ensued regarding how to proceed with action on these items. Chairman French asked for public comment. Torrey Sheen, Fire Chief representing Winnemucca Rural Fire District noted his support of this process and a future tank but asked that the requirement that the \$4,000.00 fee for the hydrants paid by WRFD be removed. Discussion ensued. No further public comment was offered. Commissioner Hill voiced concern that we are not recognizing all the costs that will be assumed by the County including manpower costs as additional personnel will be needed; he further noted his concern that the appraisal was done by a company that did not even visit the site. Chairman French suggested that the county will have those costs one way or another with the nitrate issues in the area. Commissioner Hoss asked where the funding would come from for managing the system including manpower and repairs. Chairman French responded stating that he is convinced that there is a mechanism in place that costs will be covered by the users and if it is not sufficient then a discussion needs to occur as to rates. Commissioner Tipton offered comments as to why this is the time to proceed given the funding that is currently available. Director Kalkoske asked if there was language in the contract regarding deliverables for example updated mapping, operations and maintenance manuals, the cross control and emergency plan programs that are required; he noted concerns in producing those items by the February 1<sup>st</sup> and the concern with where the funding for those will be found. Ms. Ure-Stix responded as to what deliverables will be provided per the agreement. Mr. Foree responded that the mapping and the plans have been completed and the operation and maintenance manuals can be provided at any time. Discussion ensued. Commissioner Tipton asked about the language for the motion. District Attorney Macdonald reviewed the requested language. The following motion was made by Commissioner Tipton and passed with Chairman French and Commissioners Tipton and Cerri voting aye and Commissioners Hill and Hoss voting nay:

*That Humboldt County agrees to the water system acquisition between Gold Country Water and Humboldt County and that the due diligence date be changed to February 14, 2023 in that agreement.*

2) A banking agreement with Gold Country Water. Discussion ensued regarding the language included as to the ability of the County to purchase additional water rights and the ability to work on that

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language and anything remaining in the bank at the end of 25-years will be deeded to the county and how the usage of the water works. Commissioner Tipton asked if this item could be handled at the December meeting. Mr. Foree responded that he sees no harm in doing that. District Attorney Macdonald asked for direction from the Commission as to what information they would like to receive. Discussion ensued. Ms. Ure-Stix noted the need to be cognizant of the little bit of risk of loss as they are permitted and not certificated water rights. Mr. Foree offered comment on the benefits to hold on to these rights. Discussion ensued to the protections written in the agreement for the County as well as the County's responsibility to file the required extension documentation. Commissioner Tipton asked what it would cost to purchase rights down the road, three or five years, and an explanation from the Comptroller as to how we would purchase if we decided to purchase ahead of time. Commissioner Hill asked what would be involved with buying all of them, noting the benefit to economic development. Chairman French stated that this item would be tabled to the December meeting.

3) A water right purchasing agreement with Gold Country Water. See item 2/matter tabled.

C) Consideration, discussion and possible approval to engage Kendra Follett with Sherman & Howard LLC. as bond counsel for general obligation revenue bonds or revenue bonds in regard to the acquisition of the Gold Country Water System and refinancing approximately \$540,000 in debt. Manager Mendiola noted the costs associated with the counsel. Mr. Foree explained that this is something the State Revolving Fund requires to do the refinancing and noted the need for a bond resolution. Deputy District Attorney Maddox (via Teams) reviewed the need for this process noting that the cost for the bond counsel would be covered by the State Revolving Fund. Discussion ensued regarding how this process would be initiated. The following motion was made by Commissioner Cerri and passed with Chairman French and Commissioners Tipton, Cerri and Hill voting aye and Commissioner Hoss voting nay:

*To engage Kendra Follett with Sherman & Howard LLC as bond counsel and to authorize the Chair to sign the engagement letter.*

D) Approval to grant authority to County Manager Dave Mendiola, to serve as the County's representative for purposes of engaging any governmental agencies or financial institutions to effectuating the sale (acquisition) of utilities including the PUCN process, NDEP Bureau of Safe Drinking Water, Board for Financing Water Projects, SRF, financial institutions etc. and to submit the final loan forgiveness loan application with the State of Nevada, Bureau of Safe Drinking Water, Department of Finance for the acquisition of Gold Country Water and the consolidation of Gold Country with Star City

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water. Chairman French read the title of the item as it appeared on the agenda. Manager Mendiola reviewed the request for the Commission. The following motion was made by Commissioner Tipton and passed unanimously:

*To grant authority to County Manager Dave Mendiola to serve as the County's representative for purposes as read into the record.*

E) Authorization to amend the agreement with Therese Ure-Stix from Schroeder Law from \$10,000 to \$20,000 and authorize Dave Mendiola, County Manager to sign the engagement letter. Manager Mendiola reviewed the request. The following motion was made by Commissioner Cerri and passed unanimously:

*To approve the amendment to the agreement with Therese Ure-Stix from Schroeder Law from \$10,000.00 to \$20,000.00 and to authorize Dave Mendiola, County Manager to sign the engagement letter.*

F) Consideration, discussion and possible approval of the following Resolutions:

1) Resolution to establish an Enterprise Fund for the purpose of conducting business as a water system as part of Humboldt County's acquisition of Gold Country Water. A copy of the proposed Resolution was included on the on-line agenda for review. Manager Mendiola reviewed the request for the Commission and read the resolution into the record. The following motion was made by Commissioner Tipton and passed unanimously:

*To approve the resolution as read into the record by the County Manager.*

*(Resolution No. 11-21-22a)*

2) Resolution to approve the acquisition and consolidation of Gold Country Water with Star City Water and utilize a "loan forgiveness" loan from the Drinking Water State Revolving Fund. A copy of the proposed Resolution was included on the on-line agenda for review. Manager Mendiola read the resolution into the record noting corrections that were made to the document compared to what was previously provided. Commissioner Cerri noted concerns with the language at the beginning of the Resolution with the wording "will acquire". District Attorney Macdonald offered alternative language suggesting that the agreement as approved today could be included with the language change to "that Humboldt County has agreed to acquire, pursuant to the purchase agreement approved on November 21, 2022". Manager Mendiola noted the correct numbers to be included in the Resolution as follows –

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DW1103 with a balance of \$372,772.00 and also the GC loan-1 with a current balance of \$153,318.00. The following motion was made by Commissioner Cerri and passed unanimously:

*To approve the acquisition and consolidation of Gold Country Water with Star City Water and utilize a "loan forgiveness" loan from the Drinking Water State Revolving Fund as read into the record with the amendments as noted by the District Attorney and the loan information as indicated by the County Manager.*

*(Resolution No. 11-21-22b)*

MISCELLANEOUS REPORTS AND CORRESPONDENCE:

1) Other information and upcoming meetings: The following meetings were noted on the agenda - November 22, 2022 Winnemucca City Council Meeting, December 8, 2022 Regional Planning Commission Meeting, December 12, 2022 Humboldt Commission Meeting, December 13, 2022 Winnemucca City Council, January 3, 2023 Humboldt Commission Meeting and January 12, 2023 Winnemucca City Council Meeting

2) Reports from Commissioners regarding other Boards and Committees on which they serve: Commissioner Hoss reported on a Museum Board meeting. Commissioner Hill stated that he had a Paradise Valley Conservation District Board meeting, but he has nothing to report. Commissioner Tipton noted an item on the upcoming Hospital Board meeting related to a request for an additional member of the Commission to serve on the Board. District Attorney Macdonald suggested that the language, as to the number of Commission members assigned to the Hospital Board, may be set in Code so he will look into that and provide the information to Commissioner Tipton. Chairman French offered no report. Commissioner Cerri reported on a WCVA meeting.

FUTURE AGENDA ITEMS: Commissioner Hoss asked for an item to discuss looking at moving vehicle buying into one department and explained. Discussion ensued including the need to review the lease program. Manager Mendiola identified the following items including the satellite communications question by Commissioner Hoss for which he will reach out to CSI to provide an update on technology for the Board; he asked if Commissioner Hoss could provide him with the information referred to so it can be addressed including an update on the McDermitt public safety tower and the water agreement will be brought at the next meeting.

PUBLIC COMMENT: Chairman French asked for public comments; none offered.

ADJOURNMENT: Chairman French adjourned the meeting at 4:56 p.m.

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ATTEST: \_\_\_\_\_ APPROVED: \_\_\_\_\_  
Clerk Chairman

(Minutes approved by the Commission and signed by the Chairman on \_\_\_\_\_)

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UNAPPROVED/UNOFFICIAL



**Humboldt County Board of Commissioners  
Monday December 12, 2022  
Meeting Minutes**

Those present were Chairman Jim French, Commissioners Ken Tipton, Ron Cerri (via Teams), Jesse Hill and Tom Hoss, District Attorney Michael Macdonald (arriving at 12:10 p.m.) and Deputy District Attorney Wendy Maddox, County Manager Dave Mendiola and Clerk of the Board Tami Rae Spero.

CALL TO ORDER: Chairman French called the regular meeting to order at 8:31 a.m. in the regular place of meeting at the County Meeting Room #201, Courthouse, Winnemucca, Nevada.

PLEDGE OF ALLEGIANCE: All in attendance recited the Pledge of Allegiance.

RECOGNITION OF CHAIRMAN JIM FRENCH: Clerk Spero read a statement into record from former Commissioner Brissenden (see attached); Manager Mendiola presented a gift recognizing Commissioner French's years on the Board. Commissioner Cerri offered comment as to Commissioner French's time on the Commission and thanked him for his service and noted the plan to seek his advice going forward. Chairman French thanked Commissioner Cerri for his comments. Commissioner Tipton offered his thanks for Chairman French's years of service.

BOARD TRAINING: TRAINING FROM NRS 241 IN REGARD TO CHARACTER, MISCONDUCT OR COMPETENCE: Training from NRS 241 in regard to character, misconduct or competence. Deputy Maddox will review NRS 241.031 and 241.033 with the board in regard to the required statutory notice when the board wishes to discuss an individual's character, misconduct or competence. Deputy District Attorney Maddox reviewed the item for the Commission noting that she has provided copies of the relevant statutes to the Commission for review; she explained the notice requirement for this type of discussion and the potential for open meeting law violations.

PUBLIC COMMENT: Chairman French asked for public comment. Lorne Lyon appeared before the Commission and asked questions regarding OSHA trainers in the County; Manager Mendiola responded. Mr. Lyon asked about the training records developed by the County and requested copies of the pre and post equipment inspections as well as equipment/operator evaluations for two pieces of equipment the D-6 Caterpillar and the New Holland tractor NRS 239. Mr. Lyon continued commenting on agenda item 17 requesting information as to who is currently holding the rights, who the owners are of Gold Country Water, the value, the debt, the nitrate level, who owns the property associated with Gold Country Water and if any employee is involved and all costs that are involved noting NRS requirements. No further public comment was offered.

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APPROVAL OF MINUTES: Discussion and action on correction/approval of minutes for discussion and action on correction/approval of minutes for March 27, 2017 (Budget Hearing); April 3, 2017; May 1, 2017 (Joint); May 15, 2017; June 19, 2017; July 10, 2017; August 7, 2017 (Joint); August 21, 2017; December 11, 2017 (Joint); January 16, 2018; January 29, 2018 (Retreat); February 5, 2018; February 20, 2018; March 5, 2018; April 2, 2018 (Budget Hearing); April 9, 2018; August 6, 2018; August 20, 2018; September 17, 2018; October 1, 2018; October 15, 2018; March 18, 2019; March 25, 2019 (Budget Hearings); April 1, 2019; May 6, 2019; May 15, 2019 (Special); May 20, 2019; June 3, 2019; June 17, 2019; June 25, 2019 (Special); August 5, 2019; August 19, 2019; September 3, 2019; September 16, 2019; October 21, 2019; November 4, 2019; November 25, 2019 (Special); December 16, 2019; January 6, 2020; January 21, 2020 (Combined Regular and Retreat); February 3, 2020; March 2, 2020; March 19, 2020; April 6, 2020; April 14, 2020 (Special); April 20, 2020; May 4, 2020; June 15, 2020 (Joint); July 17, 2020 (Special Joint); July 20, 2020; August 17, 2020; August 20, 2020 (Special Meeting); September 8, 2020; September 21, 2020; September 30, 2020 (Special); October 5, 2020 (Special Joint Meeting); October 19, 2020; November 9, 2020; November 13, 2020 (Special Canvass); November 23, 2020; December 14, 2020; January 4, 2021; January 25, 2021 (Special Meeting); February 8, 2021; February 22, 2021 (Special Joint Meeting); February 22, 2021; March 22, 2021; March 29, 2021 (Budgets); April 8, 2021 (Special Meeting); June 21, 2021; July 19, 2021; August 9, 2021; August 12, 2021 (Special Meeting); August 23, 2021; September 20, 2021; November 8, 2021; and November 22, 2021; January 3, 2022; January 24, 2022 (Commission Retreat), March 7, 2022, March 21, 2022; May 2, 2022; May 16, 2022; September 19, 2022 (Regular Meeting); November 7, 2022; and November 21, 2022. No minutes submitted for consideration.

APPROVAL OF EXPENDITURES FOR HUMBOLDT COUNTY FOR NOVEMBER 21, 2022 THROUGH DECEMBER 12, 2022: Comptroller Rackley noted an error on one voucher for Commissioner Tipton and explained what had occurred and how it was addressed. Commissioner Tipton stated that he would be abstaining from the item related to his travel reimbursement. Commissioner Cerri stated that he would be abstaining from approval of an expenditure for himself related to travel reimbursement. The following motion was made by Commissioner Hill and passed unanimously:

*To approve the expenditures for Humboldt County from November 21, 2022 through December 12, 2022.*

REAPPOINTMENT AND/OR APPOINTMENT OF MEMBERS TO SPECIAL DISTRICTS AND BOARDS:

Consideration, discussion and possible approval of the following board reappointments/appointments:

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a. Winnemucca Convention & Visitors Authority Board: Reappoint John Arant (Business Representative with a term set to expire January 1, 2025); Reappoint Brian Stone (Hotel Representative with a term set to expire January 1, 2025); Reappoint Terry Boyle (Motel Representative with a term set to expire 2025). The following motion was made by Commissioner Cerri and passed unanimously:

*To approve the individuals as read into the record for appointment to the WCVA Board.*

b. Golconda GID Board: Reappoint Ella Hight to Seat A for a term from January 2, 2023 thru January 4, 2027; Reappoint Bronwyn Schofield to Seat C for a term from January 2, 2023 thru January 4, 2027; Reappoint Darron Birgenheier to Seat E for a term from January 2, 2023 thru January 4, 2027; Appoint Bradley Moore to serve the unexpired term for seat B ending January 6 2025 to the Golconda Water Board pursuant to Humboldt County Code. Bradly Moore appeared before the Commission and rescinded his letter of intent to serve on the Board. Bronwyn Schofield appeared before the Commission and explained that seat B had been appointed in June, which is why Mr. Moore is rescinding his request for appointment. The following motion was made by Commissioner Hill and passed unanimously:

*To approve the appointment to the Golconda GID Board to fill seats A, C, E noting that Bradly Moore has rescinded his request for appointment as noted.*

COMMUNITY SUPPORT GRANT/CASH DONATION REQUESTS: Consideration, discussion, and possible action to approve a grant and/or monetary donation to one or more of the applicants (as attached) that submitted a request to support community activities in Humboldt County. The total budget for said grants/donations is \$35,000 for FY 2022-23. Manager Mendiola reviewed the request for the Commission noting that there are more requests than the budgeted amount; he read all requests into the record. Chairman French noted that some of the requests have not been presented before. Cooper Hill and other representatives appeared before the Commission and reviewed the request for the Humboldt County High School Rodeo Club. Michelle Hammond appeared via Teams and reviewed the request for the Drug Free Grad Party for the Commission. Dennis Deputy appeared before the Commission on behalf of the Paradise Volunteer Fire Dept. and Paradise Valley Community Inc. and reviewed the requests for the Commission. Commissioner Cerri encouraged Paradise to consider creating an assessment district for the cemetery, as is done in Orovada, so other communities do not have to bear the cost of management. Ray Parks and Virginia Parker appeared before the Commission on behalf of the Lowry Senior's Graduation event and reviewed the request. Jacklyn Orr appeared

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before the Commission on behalf of the Nevada Outdoor School and reviewed their request. Jasmine Hughes and Jesse McGee appeared before the Commission on behalf of the Winnemucca Motocross Association and reviewed their request. Commissioner Cerri asked if WCVA had been approached. Ms. Hughes responded as to what had been requested in the past and what is intended for this year. Commissioner Tipton asked questions about the Paradise requests including the possible use of ARPA funding for the roof. Comptroller Rackley and Mr. Deputy responded that the roof does not qualify for ARPA funding. Commissioner Hill offered that he believes that we should stay within budget, if the desire is to increase then that should be discussed at the retreat; he noted those groups who had appeared today in support of their requests which is important and suggested reductions to the requests for the Silver State, the McDermitt Ranch Rodeo and the Boys & Girls Club; he questioned if there should be a different funding source for the Paradise Cemetery project based on Commissioner Cerri's remarks. Chairman French concurred but noted the need to adjust the line-item to meet community needs going forward. Commissioner Cerri offered comment about those who did not appear. Ray Parks appeared before the Commission noting his involvement with the Boys & Girls Club but stated that he did not know what the request was for. Commissioner Hill offered the suggestion to reduce the requests from the Silver State International Rodeo, the McDermitt Ranch Rodeo Board and the Boys & Girls Club to \$3,000.00 each. The following motion was made by Commissioner Hill and passed unanimously:

*To approve all funding requests presented to the Commission today, with the exception of the Silver State International Rodeo request that will be cut to \$3,000.00, the McDermitt Ranch Rodeo Board request that will be cut to \$3,000.00 and the Boys & Girls Club request that will be cut to \$3,000.00 which reduces the requested amount by \$9,000.00 and puts the requests over by just \$200.00.*

USFS UPDATE ON PROPOSED PROJECTS FOR THE SANTA ROSA DISTRICT: A representative from the Forest Service will update the Commissioners on Santa Rosa Rangeland Grazing Management Project, Brief them on the Shared Stewardship, Joints Chiefs Projects, Targeted Grazing Project, Buttermilk Mine Exploration, Great American Outdoor Act (GAOA) Projects, Herbicide Application (Aerial) NEPA, and other updates. Santa Rosa District Ranger Boyd Hatch appeared before the Commission on behalf of the Santa Rosa District. Ranger Hatch commented on questions received previously as to the recreational leases on Forest Service lands. Discussion ensued regarding the issue including the lease fees, Ranger Hatch indicated that he would check into the matter further. Ranger Hatch explained a question that

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had been received from Commissioner Cerri regarding weeds and what is being looked at to address the issue. Ranger Hatch provided copies of the Santa Rosa Rangeland Management Project Environmental Assessment Finding of No Significant Impact and Draft Decision Notice to the Commission. Commissioner Cerri noted why it is a bad time for this Notice to come out and asked about an extension to the comment period. Ranger Hatch responded that the date provided is hard and fast so he believes that the only way to change it is to pull the entire project, but he will look into it and let Commissioner Cerri know. Chairman French noted the concern that, these types of items, come out right in time for the holidays noting that it would go a long way in keeping the requests for extension down if these types of items were held until after the holidays. Ranger Hatch indicated that he would check on it and noted the issues with the release time. Commissioner Cerri noted that there are items that will need to be commented on and noted the difficulty for Mr. Schultz to offer those comments based on the timeline. Discussion ensued. Chairman French commented on the flexibility component that USFS worked into the agreement. Ranger Hatch continued reporting on other projects included on the agenda within the District and discussion ensued on said projects. Chairman French asked about consideration related to road maintenance and sharing responsibility on the main roads within the District. Ranger Hatch responded noting the issues with staffing to handle road maintenance and his intention to meet with the County Road Department related to this situation. Chairman French commented on the need for an MOU that can be considered.

COMPTROLLER: Comptroller Gina Rackley appeared before the Commission.

FINANCIAL REPORT: Humboldt County Comptroller Gina Rackley will provide an overview of current conditions with respect to Humboldt County revenues and expenditures for fiscal year 2022 (July 1, 2022 through June 30, 2023), including an update on the American Rescue Plan Act (ARPA). Comptroller Rackley reviewed September's CTX revenue received, expenditures included for PERS purchase which will result in the need to augment the Compensated Absence Fund and the use of ARPA funds for the repairs on Norma Drive. Comptroller Rackley informed the Commission about notice received from PERS and a rate increase and how that impacts the County's budget with relation to each employee unit.

ASSESSOR: Assessor Andy Heiser appeared before the Commission.

RESOLUTION DIRECTING THE COUNTY ASSESSOR TO TAKE CERTAIN ACTIONS REGARDING THE SECURED TAX ROLL: Consideration, discussion, and possible adoption of a Resolution requiring the Humboldt County Assessor to prepare a list of all taxpayers on the secured tax roll in the County and the total

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valuation of property on which they severally pay taxes and directing the Assessor to publish such list and valuations, on or before January 1, 2023, on the Humboldt County website, post the information in various locations throughout Humboldt County, and to otherwise comply with NRS Chapter 361.300. Assessor Heiser explained the purpose of the item. Commissioner Tipton read the Resolution as proposed for adoption. The following motion was made by Commissioner Tipton and passed unanimously:

*To adopt the Resolution as read into the record as required by NRS Chapter 361.300.*

*(Resolution No. 12-12-22)*

NOTIFICATION OF OUT OF STATE TRAVEL: Notification that the Assessor's Office will have two employees traveling out of state. Assessor Heiser informed the Commission that per County Policy he is notifying the Commission that he and another employee will be traveling outside the State for training.

LIBRARY: Library Director Jessica Anderson appeared before the Commission via Teams.

REQUEST TO WAIVE ATTRITION POLICY: Consideration, discussion and possible action to waive the attrition policy to hire a Library Assistant for the McDermitt Branch. The position became vacant December 1, 2022, due to a resignation. Director Anderson reviewed the request for the Commission. The following motion was made by Commissioner Hill and passed unanimously:

*To waive the attrition policy to hire a library assistant for the McDermitt branch.*

PUBLIC WORKS DEPARTMENT: Public Works Director Don Kalkoske appeared before the Commission.

GENERAL ROAD PROJECTS: A presentation by Humboldt County Public Works Director Don Kalkoske to update the Board on Road projects within Humboldt County, 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. Director Kalkoske reported on road work in the County and the Safety Training and Consultation Section review which is upcoming. Commissioner Hill stated his appreciation of the efforts made to proceed with the review and to keep everyone safe.

Chairman French called for a recess at 10:02 a.m. reconvening at 10:07 a.m.

TREASURER: Treasurer Rhona Lecumberry appeared before the Commission.

REQUEST FOR COUNTY ISSUED CREDIT CARDS FOR THE EMERGENCY MANAGER: Consideration, discussion and possible approval of a request from the Treasurer's Office to authorize permission to issue a WellsOne Commercial Card to Carol Lynn, Emergency Manager. Limit to be set at \$1,500.00.

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Treasurer Lecumberry reviewed the request for the Commission. The following motion was made by Commissioner Hill and passed unanimously:

*To approve the credit card for a limit of \$1,500.00 to the Emergency Manager Carol Lynn.*

BUILDING & SAFETY: Building Director Michael Coldiron appeared before the Commission.

REQUEST FOR A COUNTY-ISSUED CREDIT CARD: Consideration, discussion and possible approval of a request to obtain a county issued credit card with a limit of \$1,000 for the Building & Safety Department. Director Coldiron reviewed the request for the Commission. Commissioner Hill noted a couple of concerns including the references in the application that are covered via other methods including vehicle maintenance. Treasurer Lecumberry appeared before the Commission and offered comment on what is generally done with a break in period so individuals can obtain the required knowledge as to, not only how the credit card system works, but also our voucher process; she noted that as the window of time and processes that she is comfortable with have not been reached, this request is not coming from her but is being handled as a separate item. Chairman French offered comment on the need for credit cards and stated his support of issuing these cards where needed. Treasurer Lecumberry offered comment what has occurred in the past noting that there has never been a need demonstrated in this department before and that, as the person who administers this program, she would be more comfortable with having him work under someone else for like six months so he can become familiar with the policies and management of the county credit card. Commissioner Hill and Commissioner Tipton stated their agreement with Treasurer Lecumberry's comments. Manager Mendiola concurred. Chairman French stated that this matter would have no action taken this time and directed the Treasurer to get with the County Manager in the future to bring the matter back before the Commission.

TECHNOLOGY SERVICES: Technology Services Director Ric Grantham and Michael Sheppard appeared before the Commission.

APPROVAL OF JOINT CONSTRUCTION AGREEMENT BETWEEN NDOT & HUMBOLDT COUNTY: a. Consideration, discussion and possible approval of a Telecommunication Infrastructure Joint Construction Agreement between NDOT and Humboldt County for the County's BLM Double H Public Safety Communication Site, with a cost share of 25.6% of the total cost to improve the County's BLM Double H Public Safety Communication Site, or approximately \$334,950.00 from NDOT and \$975,050 from the County's capital projects fund and allow Chairman Jim French to sign the agreement. In

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addition to, but separate from the agreement, the county will see a savings for the cost of a fiber tap at the NDOT yard that amounts to approximately \$36,000.00 per year in savings to the General Fund/IT budget. This agreement is subject to approval of the District Attorney's Office. Director Grantham reviewed the request for the Commission. Commissioner Tipton asked about the savings. Director Grantham responded. The following motion was made by Commissioner Tipton and passed unanimously:

*To approve a Telecommunication Infrastructure Joint Construction Agreement between NDOT and Humboldt County for the County's BLM Double H Public Safety Communication Site, with a cost share of 25.6% of the total cost to improve the County's BLM Double H Public Safety Communication Site, or approximately \$334,950.00 from NDOT and \$975,050.00 from the County's capital projects fund and allow Chairman Jim French to sign the agreement.*

REVIEW OF PROTEST OF CONTRACT FOR MCDERMITT TELECOMMUNICATIONS IMPROVEMENT PROJECT:

a) Consideration, discussion and possible determination to uphold or reject the notice of protest filed by Radco Communications, LLC pursuant to NRS 338.142 based on Radco's complaint that Premier Wireless Services did not submit a bid bond with their bid documents for the McDermitt Telecommunications Project Phase 2 PWP-2022-061. Deputy District Attorney Maddox reviewed the statutory language as to how to handle a protest of contract noting, based on her investigation, that she would ask for certain language to be included in any motion noting that the bid bond has been submitted so the issue is remedied, and the County is protected. Mr. Sheppard offered comment on what had occurred noting what the only purpose of a bid bond is and explained that they can provide the payment and performance bonds and reviewed the discussions and assurances that had occurred regarding this situation; he stated his recommendation that the Commission reject this protest based on the information provided. The following motion was made by Commissioner Hill and passed unanimously:

*That we reject the protest for the reasons stated by Wendy Maddox, that we find it immaterial and it's insubstantial as a deviation from the bidding requirements thus waivable by this board, that it did not work. That the aim for competitive bidding and for the public interest is in securing the most economical result by inviting competition which has been accomplished.*

B) Consideration, discussion and possible award of the contract for the McDermitt Telecommunications Improvement Project Phase 2 PWP 2022-061 to Premier Wireless Services in an amount not to exceed

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\$237,670 or to RADCO Communications in an amount not to exceed \$389,280.00. The following motion was made by Commissioner Tipton and passed unanimously:

*To approve the contract for the McDermitt Telecommunications Improvement Project Phase 2 PWP 2022-061 to Premier Wireless Services in an amount not to exceed \$237,670.00.*

APPROVAL OF GOLD COUNTRY AMENDED RESOLUTION: Consideration, discussion and possible approval of the following: Updates to Resolution for Consolidation of Gold Country and Star City Water Systems and direct the Clerk to substitute in this version of the Resolution replacing the prior version identified as Resolution Number 11-21-22b. Manager Mendiola reviewed the request for the Commission including the changes made to the prior Resolution; he read the amended Resolution as proposed. Chairman French asked if action is needed on this item or if this is just a FYI. Deputy District Attorney Maddox responded that action is required and offered suggested language for a motion. Commissioner Cerri noted his concern stated during the last action on this item which still exists with the language of “will acquire” as to what occurs if funding is not approved by the State Revolving Fund. Chairman French explained what had occurred at the State Revolving Fund meeting where it was a unanimous vote to approve the funding. Commissioner Hoss asked for clarification on the amount approved. Manager Mendiola responded noting the amount includes the construction cost, the refinancing of the existing debt and costs for bond counsel. Audience member Lorne Lyon asked if the proposed well is within the same basin that will be served. Chairman French confirmed that it is. Based on a question from Commissioner Hoss as to the amount of the loan Chairman French explained what the SRF had approved financially. The following motion was made by Commissioner Tipton based on recommendation of legal and passed unanimously:

*To approve the update to Resolution for Consolidation of Gold Country and Star City Water Systems and directing the Clerk to substitute this version of the Resolution replacing the prior version identified as Resolution Number 11-21-22b.*

*(Resolution No. 11-21-22b (amended))*

APPROVAL OF WATER BANKING AGREEMENT OR WATER PURCHASE AGREEMENT: Consideration, discussion and possible direction from the Board regarding the water rights of Gold Country as to whether the board wishes to 1. Purchase 100% of the water rights 2. Purchase all or a portion of the water rights over a two-year period after closing; and/ or 3. Enter into a banking agreement regarding

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the water rights. Direction from the board will allow the appropriate agreements to be drafted and brought before the board at a future date. Included on the on-line agenda for review were copies of the Resolution as proposed (see attached). Manager Mendiola reviewed the request for the Commission. Deputy District Attorney Maddox reviewed what is required with appraisal and how any sale could be handled if the opportunity presents itself. Chairman French offered comment on the process. The County's water counsel, Teresa Ure-Stix appeared before the Commission via Teams and offered comment on the water rights aspect of the proposal. Comptroller Gina Rackley commented on where the funding could come from to pay for the water rights being discussed. Commissioner Tipton commented on the extension of water rights by the State and what was discussed at the Humboldt River Water Basin Authority meeting about that. Comptroller Rackley noted that the City has indicated no issues with extensions as well. Commissioner Cerri offered comment on the proposal. Commissioner Hill offered his agreement and noted the benefit to economic development; he stated the need to be sure that we are secure as to where the funding is coming through and a solid plan/policy for filing for extensions. Commissioner Hoss stated that he would like to not do it today with budgets coming up and the time frame offered, he would like to discuss it during the budget hearings and explained. Discussion ensued regarding the time frame and benefits/concerns. Ms. Ure-Stix commented on what is before the Commission today. After discussion the following motion was made by Commissioner Hill and passed with Chairman French and Commissioners Tipton, Cerri and Hill voting aye and Commissioner Hoss voting nay:

*That this Board move in the direction of a purchase option for the remaining water rights of 14.79-acre feet for the Gold Country Water system.*

Lorne Lyon approached the Commission with questions and Chairman French directed Mr. Lyon to get his questions to Manager Mendiola for response.

Chairman French recessed the meeting at 11:11 a.m. reconvening at 11:20 a.m.

COUNTY HEALTH OFFICER AMENDED AGREEMENT FOR DR. CHARLES STRINGHAM: Consideration, discussion, and possible action regarding an amended agreement between Dr. Charles Stringham for professional services acting on behalf of the Humboldt County Board of Commissioners in his capacity as Public Health Official as part of the County Board of Health in an amount not to exceed from \$75,000 to \$100,000. Manager Mendiola reviewed the request for the Commission noting that this will extend the contract for a year and to increase the not to exceed amount to \$100,000.00. Deputy District Attorney

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Maddox offered comment on the delegation of the requirement to report quarterly to the State noting that, if this position is not renewed, something would need to occur as to that requirement. Commissioner Cerri asked questions regarding the agreement and the billing. Discussion ensued included the amount contained in the ARPA funding. Commissioner Hoss voiced concern about what else Dr. Stringham might be falling behind on given the situation with his billing delay. Commissioner Hill asked about the language regarding the re-appointment. Deputy District Attorney Maddox and Manager Mendiola responded. The following motion was made by Commissioner Tipton and passed unanimously:

*To approve an amended agreement with Dr. Charles Stringham for professional services acting on behalf of the Humboldt County Board of Commissioners in his capacity as Public Health Official as part of the County Board of Health in an amount not to exceed \$90,000.00.*

COMMUNICATION CREATIONS/NICOLE MAHER PUBLIC INFORMATION OFFICER AMENDED AGREEMENT: Consideration, discussion and possible approval of an amended agreement with Nicole Maher of Creative Communications to provide professional services as Public Information Officer for one (1) year beginning January 1, 2023 set to terminate December 31, 2023. Manager Mendiola reviewed the request for the Commission noting the possible uses of this position by Emergency Management and Elections. Commissioner Hill asked if this is a statutory requirement and questioned if this is one of those positions whose time has passed. Emergency Manager Carol Lynn offered comments on the use of this position for Emergency Management. Commissioner Hoss offered his agreement with Commissioner Hill's comments and explained. Commissioner Hill asked if part of the duties of the Emergency Manager is to handle the communications required. Manager Lynn responded explaining her duties. Discussion ensued. The following motion was made by Commissioner Hill and passed unanimously:

*To renew the contract with Nicole and Communication Creations beginning January 1, 2023 to terminate December 21, 2023.*

APPROVAL OF RESOLUTION FOR COOPERATION REGARDING PUBLIC LAND USE AND PUBLIC LAND USE CHAPTERS: ROADS, ACCESSIBILITY & TRAVEL/NOXIOUS WEEDS/MINING & MINERAL RESOURCES: Consideration, discussion and possible approval of a resolution to require federal agencies to coordinate with Humboldt County on all issues pertaining to public land management, and the following Chapters as part of the Humboldt County Public Land Use Management Plan: Chairman French offered comment

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on the open door policy with Humboldt County and federal agencies and noted that this act leaves a policy in place for future Commissions. The following motion was made by Commissioner Hill and passed unanimously:

*To approve a Resolution for cooperation regarding Public Land Use and Public Land Use Chapters – Roads, Accessibility & Travel/Noxious Weeds/Mining and Mineral Resources.*

*(Resolution No. 12-12-22a)*

DETERMINATION OF WHETHER AN EMERGENCY EXISTS PURSUANT TO NRS 332 FOR A PLUMBING ISSUE AT THE ADULT DETENTION FACILITY: Consideration, discussion and possible determination an emergency exists pursuant to NRS 332. 112 as an exception to the competitive bidding requirements in regard to a plumbing issue/ collapsed pipe at the Humboldt County Detention Center and authorization for County Manager Dave Mendiola to enter into an agreement for repairs of said plumbing issue and to report to the board on agreement entered into to fix said repairs at the next meeting of the board. Maintenance Supervisor Mitch Mauk and Captain Chris Lininger appeared before the Commission. Manager Mendiola reviewed the request from the Commission. Deputy District Attorney Maddox explained why this could be designated as an emergency given the situation but, offered that based on the quotes received, she does not believe the Commission will need to proceed with the emergency process as the quotes are under \$50,000.00. Mr. Mauk commented on the quotes received, noting that until the area is exposed, we really don't know what is involved. Captain Lininger commented on the needs for his department with this issue. Commissioner Hill stated his support for using the local contractor as it is a lower bid. Deputy District Attorney Maddox offered a suggestion on motion language. Discussion ensued. The following motion was made by Commissioner Hoss and passed unanimously:

*To enter into an agreement with Snyder Plumbing not to \$1,600.00 to begin and to bring the matter back to the Board for a report once it is determined what is needed.*

Chairman French called for a recess at 12:06 p.m. reconvening at 12:10 p.m.

DISTRICT ATTORNEY: District Attorney Michael Macdonald appeared before the Commission.

UPDATE REGARDING RESTITUTION: The District Attorney's office will provide an update to the Humboldt County Commissioners regarding the status of efforts to identify the owners of the fees paid for restitution over the past several years. District Attorney Macdonald reported on the status of the restitution process. Commissioner Hill asked if this would be wrapped up by the end of the year.

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District Attorney Macdonald stated no, based on obligations that both his Office and the Comptroller's Office have, but said it would be a priority to have it done by the end of the fiscal year.

Chairman French recessed for lunch beginning at 12:16 p.m. reconvening at 12:52 p.m.

COUNTY MANAGER'S QUARTERLY PRIORITIES, GOALS AND EXPECTATIONS UPDATE - 2022-2023 FISCAL YEAR: Consideration, discussion and possible action as established in the employment agreement between Humboldt County and County Manager Dave Mendiola to review the priorities, goals and expectations that were updated on June 20, 2022, to assess the progress under each category. Manager Mendiola noted that he has provided a copy of his accomplishments but commented specifically on the Gold Country Water acquisition, the roll out of the employee survey, the turnover in certain departments and department communication. Commissioner Hill noted the benefit of the budget presentation by Pool/Pact and commented on the employee survey project; he offered comment on the work done on the Gold Country Water Project and Manager's Mendiola's involvement with the State Revolving Fund process. Commissioner Hoss offered no comments. Commissioner Tipton stated that he has always received good responses from Manager Mendiola for questions and that he has no problems. Commissioner Cerri commented that what has been asked for has been done noting that the Gold Country Project has taken a lot of Manager Mendiola's time, and he is providing the information needed; that Manager Mendiola is doing great and is a benefit to the Board but offered no comments on items to address. Chairman French offered comments including the ability for coordination both internal and external, that Manager Mendiola has went from someone trying to learn the job to being someone knocking it out of the park; he offered comment on Manager Mendiola's involvement with the Gold Country Water acquisition, his involvement with other entities who seek his assistance, his efforts with the County Master Plan, that he owns any mistakes he may make and his time spent supporting what the Commission does; he commented on the importance of being crystal clear when dealing with negotiations to all aspects of the process. Manager Mendiola thanked the Commission for their comments and noted challenges facing his office including financial matters, the Grass Valley waste water situation, economic development and the impact of that on the community; he commented on the consideration of creating a natural resources committee, a weed coordinator position, a proposal related to the IT Department that will be discussed at an upcoming Management meeting and additional items being considered for the retreat agenda. Chairman French offered comment on fire protection coverage for the outer areas of the county and the need for response to

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items coming out of the Department of Interior. Commissioner Cerri commented on the need for a natural resources committee. Discussion ensued. The following motion was made by Commissioner Tipton and passed unanimously:

*To continue the County Manager Dave Mendiola's contract, if you will, as is in place now.*

2023 COUNTY CALENDAR: Consideration, discussion, and possible approval of the 2023 County Manager's Calendar of Events, including dates for County Commission meetings and other internal events. Manager Mendiola explained that no changes had been presented since the first presentation of the proposed calendar. The following motion was made by Commissioner Hill and passed unanimously:

*To approve the final draft of the 2023 County Calendar.*

#### MISCELLANEOUS REPORTS AND CORRESPONDENCE:

1) Other information and upcoming meetings – The following meetings were noted on the agenda - December 13, 2022 Winnemucca City Council, January 3, 2023 Humboldt Commission Meeting, and January 12, 2023 Winnemucca City Council Meeting.

2) Reports from Commissioners regarding other Boards and Committees on which they serve: Commissioner Hill reported on meetings he had attended including an Opioid Litigation Committee meeting, the State Revolving Fund meeting, the Paradise Valley Conservation District meeting and a meeting regarding the employee survey process. Commissioner Hoss offered no report as he had not attended any meetings. Commissioner Tipton reported on a conversation he had with the NACO Executive Director, a Humboldt River Water Basin Authority meeting and an upcoming Hospital Board meeting. Commissioner Cerri commented on the Humboldt River Water Basin Authority meeting. Chairman French stated he had not attended any meetings but that he would be turning over his other duties through NACO at the end of this week; he commented on his attempt to meet with the incoming State administration as to funds from ARPA for the Grass Valley issue.

FUTURE AGENDA ITEMS: Whether an item will be placed on a future agenda will be subject to the chairman and/or legal counsel's determination. Manager Mendiola identified the water purchase agreement coming forward in the future and the RFP expansion. Commissioner Cerri asked that contributing to the cloud seeding program be discussed at the next meeting and that the extension of the Forest Service Project Plan discussed earlier be looked at.

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PUBLIC COMMENT: Chairman French asked for public comment. Treasurer Rhona Lecumberry offered her thanks to Commissioner French for his time on the Commission. Assistant County Manager/Human Services Director Abel del Real-Nava offered comment and his thanks to Commissioner French for his time on the Commission. Comptroller Gina Rackley offered her thanks to Commissioner French for his time on the Board. Clerk Tami Rae Spero offered her thanks to Commissioner French for his time on the Board. District Attorney Michael Macdonald thanked Commissioner French for his time on the Board; he commented on concerns with the facility needs and asked the Board to make that a priority so we can better serve the residents of Humboldt County. Commissioner Tipton offered comment on a prior discussion with Commissioner French and thanked District Attorney Macdonald for his time with the Commission. Manager Mendiola offered comment thanking Commissioner French for his guidance and support, and he thanked District Attorney Macdonald, Recorder Debbie Engstrom and Sheriff Mike Allen who were also leaving office. No further public comment was offered.

ADJOURNMENT: Chairman French adjourned the meeting at 1:51 p.m. noting that the Commission would move on to the annual inspection of the Adult Detention Center following this meeting.

ATTEST: \_\_\_\_\_ APPROVED: \_\_\_\_\_  
Clerk Chairman

*(Minutes approved by the Commission and signed by the Chairman on \_\_\_\_\_)*

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**Humboldt County Board of Commissioners**  
**Monday, March 20, 2023**  
**Meeting Minutes**

Those present were Chairman Ken Tipton, Commissioners Ron Cerri, Jesse Hill and Tom Hoss, Deputy District Attorney Michael Macdonald, County Manager Dave Mendiola and Clerk of the Board Tami Rae Spero. Commissioner Mark Evatz attended via telephone and in person (joining the meeting in person at 11:58 a.m.)

CALL TO ORDER: Chairman Tipton called the regular meeting to order at 8:30 a.m. in the regular place of meeting at the County Meeting Room #201, Courthouse, Winnemucca, Nevada.

PLEDGE OF ALLEGIANCE: All in attendance recited the Pledge of Allegiance.

PUBLIC COMMENT: Chairman Tipton asked for public comment. Debra Gay appeared before the Commission and offered public comments related to the transloading situation as to her concerns with it, that the Commission has let the residents down, that they have lost the residents trust, that everyone should be removed from the Board and that she would like the Commission to change its mind.

Cheryl Montgomery, a tenant of Larios Arms, addressed the Commission requesting assistance as the rents are being raised in amount that is using up the entire cost of living increase seniors received; she discussed what has occurred, what they have done to address the issues and the need for rent control for senior citizens.

Millie Custer offered public comments regarding the transfer station commenting on other possible locations in the County and her concerns with roads, the loss of control, the smell, traffic impacts and impact on the water table.

Jaime Nicotera offered public comments related to the transloading facility and concerns including asking the Commission to represent and protect their citizens, concerns about property values in the area, the long term impact on the community, the resulting hazardous and toxic odor, lack of a backup plan, that it is not worth and that she is not opposed to growth but there should be reasonable limitation with industrial facilities.

(Name not clear) a Grass Valley resident, offered comments on opposition to the transloading facility.

JoAnn (no last name) offered public comments in opposition to the transloading facility.

Skip Hammargren offered public comments in opposition to the proposed location for the transloading facility.

Christina Kenison offered public comments noting her prior comments before this Board, that she believes the county is relinquishing their rights to control, her concerns with what NDOT has reviewed, what HDA is looking at, that the Airport Board has been muted and what the City has been doing; she noted that she

has provided a copy of the Joint Airport Agreement from 1964 to this Board and referred to and discussed the history of agreement; that the citizens of Humboldt County demand transparency and that their faith has been shattered; she discussed what has been occurring behind the scene for years which results in the public/residents not being given an adequate amount of time to respond or do their due diligence; that this Commission needs to take action; she commented on the purchase of the property; she provided the Commission a copy of NRS 496 related to Municipal Airports and referred to what is included including that the city is turning this property into an industrial park not an airport industrial park which is a huge difference; she spoke as to what this will result in; she provided a copy of the FAA Assurance information and commented on how this project will impact it; she commented on the actions of the city that have no concern for citizens and community; she provided a copy of the FAA Airport Sponsor & Airport User Rights & Responsibilities; she requested that all documents provided to the Clerk be included as part of the record; she provided AIP Sponsor Guide 1700, a fact as sheet sulfur dioxide, a chemical datasheet related to sulfur molten and a Winnemucca Futures Project Scenario Planning and a Shared Vision for 2030. Mrs. Kenison continued discussing chemical impact on the airport function referring to document provided indicating that it was not meant to put private sector business over people; she offered commented on the impact of this on the county and residents remaining; she commented on what could be done to bring in appropriate businesses; she referred to the County Master Plan and how that differs from the Winnemucca Futures Project Scenario; she continued commenting on her opposition to this project, the time frame for the city action, the lack of action by the Commission and how this is completely unfair.

Garth Amos offered public comment regarding concerns with the transloading facility and other proposed projects on neighboring properties including ones he owns and commented on the need for fencing and sound barriers.

Michael Padua offered public comment indicating his service in the community, the need for prayers and for listening to the Pledge of Allegiance, that was is proposed is disrespectful and should be voted against. Hank Barky, a resident of airport estates, offered public comment about his move to Nevada from California, the improvements he has done to his property, his opposition/concern about the transloading facility which will result in noise, odors, the water table and traffic; that this will result in people leaving the community; he commented how other facilities are located away from people and asked the Commission to think of the community.

Zerella Buttars offered public comment in opposition to the facility noting that the area proposed is one that is growing residentially and the need to keep it nice as well as concerns about evacuations.

Eileen Bailey offered public comment as a resident of area speaking in opposition to the facility and her disappointment as she voted for the Commission; that she cannot vote for the city representatives that are making these decision which cheats the county residents; that real estate agents and buyers are pulling out of the area, the impact of fires in the area and the need for the Commission to take care of their constituents.

Lisa Richardson (unsure of name) offered public comment via speaker phone, concurring with the prior comments and noting that her home is the closest to the proposed facility and how it has been maintained and that she is not against the project just the location; her concerns with odors, chemicals and health impacts and the lack of engagement with the residents; she asked that the Commission take a stand and protect the residents and thanked the people who have been working on this issue.

APPROVAL OF MINUTES: Discussion and action on correction/approval of minutes for discussion and action on correction/approval of minutes for March 27, 2017 (Budget Hearing); April 3, 2017; May 1, 2017 (Joint); May 15, 2017; June 19, 2017; July 10, 2017; August 7, 2017 (Joint); August 21, 2017; December 11, 2017 (Joint); January 16, 2018; January 29, 2018 (Retreat); February 5, 2018; February 20, 2018; March 5, 2018; April 2, 2018 (Budget Hearing); April 9, 2018; August 6, 2018; August 20, 2018; September 17, 2018; October 1, 2018; October 15, 2018; March 18, 2019; March 25, 2019 (Budget Hearings); April 1, 2019; May 6, 2019; May 15, 2019 (Special); May 20, 2019; June 3, 2019; June 17, 2019; June 25, 2019 (Special); August 5, 2019; August 19, 2019; September 3, 2019; September 16, 2019; October 21, 2019; November 4, 2019; November 25, 2019 (Special); December 16, 2019; January 6, 2020; January 21, 2020 (Combined Regular and Retreat); February 3, 2020; March 2, 2020; March 19, 2020; April 6, 2020; April 14, 2020 (Special); April 20, 2020; May 4, 2020; June 15, 2020 (Joint); July 17, 2020 (Special Joint); July 20, 2020; August 17, 2020; August 20, 2020 (Special Meeting); September 8, 2020; September 21, 2020; September 30, 2020 (Special); October 5, 2020 (Special Joint Meeting); October 19, 2020; November 9, 2020; November 13, 2020 (Special Canvass); November 23, 2020; December 14, 2020; January 4, 2021; January 25, 2021 (Special Meeting); February 8, 2021; February 22, 2021 (Special Joint Meeting); February 22, 2021; March 22, 2021; March 29, 2021 (Budgets); April 8, 2021 (Special Meeting); June 21, 2021; July 19, 2021; August 9, 2021; August 12, 2021 (Special Meeting); August 23, 2021; September 20, 2021; November 8, 2021; and November 22, 2021; January 3, 2022; January 24, 2022 (Commission Retreat), March 7, 2022, March 21, 2022; May 2, 2022; May 16, 2022; September 19, 2022 (Regular Meeting); November 7, 2022; November 21, 2022; December 12, 2022; February 21, 2023; March 6, 2023; and March 10, 2023 (Special Meeting). Chairman Tipton asked for corrections for the minutes of March 6, 2023; none offered. The following motion was made by Commissioner Cerri and passed unanimously:

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*To approve the minutes for March 6, 2023 as presented.*

Chairman Tipton asked for corrections for the minutes of March 10, 2023; none offered. The following motion was made by Commissioner Cerri and passed unanimously:

*To approve the March 10, 2023 minutes as presented.*

APPROVAL OF EXPENDITURES FOR HUMBOLDT COUNTY FOR MARCH 6, 2023 THROUGH MARCH 20, 2023:

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

*To approve the expenditures for March 6, 2023 through March 20, 2023.*

PLEASANT SENIOR CENTER UPDATE: Pleasant Senior Center Director Brandie Pettis will provide an update on activities at the center and future challenges it will be facing due to recent events in the community. Director Pettis appeared before the Commission and provided an update to the Commission and provided a handout to the Commission detailing said update (see attached); she requested the Commission's assistance in offsetting costs related to the meals which would be funding on top of the current tax override. Commissioner Hill noted that the request for action would need to be put on an agenda. Manager Mendiola suggested that the request could be included on the budget hearing agenda. Commissioner Hoss offered comments on the costs and the need to take care of that; he continued commenting that the additional costs are coming out of what the Center has put away; he asked that this be put on the agenda as soon as possible. Chairman Tipton asked for an action item for this year in addition to discussion during the budget hearings. Commissioner Cerri asked if there is a plan to bring a representative from Nevada Rural Housing before the Commission. Manager Mendiola stated that he has contacted them but has not received a response. Commissioner Cerri stated that we need to push on that and noted his concern with the earlier comments received about the rent increases.

Chairman Tipton recessed the meeting at 9:55 a.m. reconvening at 10:02 a.m.

BUILDINGS AND GROUNDS DEPARTMENT:

REVIEW OF SITE SURVEY OF CITY/COUNTY OWNED PROPERTY AT SAGE HEIGHTS FOR POSSIBLE LOCATION OF NEW BUILDINGS AND GROUNDS SHOP AND THE SIZE, NEEDS AND CAPABILITIES OF THE NEW SHOP BUILDING. Consideration, discussion and possible action regarding a site survey that was conducted by Farr West Engineering (now DOWL) and Cushing Terrell Architects to identify a favorable location to build a new Facilities Management shop. The discussion will be focused on the survey and what the needs for the building will be, including the size and the capabilities for the new building and to provide direction to County Manager Dave Mendiola going forward. Angela Hansen and Gary Glassing of CTA appeared before the Commission. Ms. Hansen provided background on the proposal and reviewed a power point related to the project including the needs for a building and the proposed site. Discussion ensued regarding the

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proposed sites, chemical storage requirements, vehicle storage, the next step which would be the design process, the square footage needed, the possible cost based on the current cost of construction, the ability of the Commissioners to go and view the proposed sites, what equipment will remain at the courthouse, the access roads and what would need to be addressed, electrical issues at the site and any discussion that may need to occur with the City. Chairman Tipton stated that while this is identified as an action item the proposed sites need to be viewed as does the budget for the project. Manager Mendiola responded. Discussion ensued. Commissioner Evatz offered comment on the need to immediately address any issues that may be putting people at risk. Commissioner Cerri asked to also see the current Buildings & Grounds site. Chairman Tipton stated that no action would be taken on this item pending a walk through at the sites and a future agenda item for discussion and possible action at the next regularly scheduled meeting. Chairman Tipton asked the County Manager to work with CTA and the Commissioners to schedule the walk through.

COMPTROLLER: Comptroller Gina Rackley appeared before the Commission.

REQUEST TO APPROVE THE AUDIT AGREEMENT FOR THE NEXT FIVE YEARS WITH DRAKE ROSE & ASSOCIATES AS THE AUDITOR FOR HUMBOLDT COUNTY: Consideration, discussion and possible approval of the five-year audit agreement for fiscal years ended June 30, 2023 through June 30, 2027 in the amount not to exceed \$93,500 for FY2023, \$96,300 for FY2024, \$99,200 for FY2025, \$102,200 for 2026 and \$105,300 for FY2027. A copy of the proposed agreement was included on the on-line agenda for review. Andree Rose and Tara Larson with Drake, Rose & Associates appeared before the Commission. Comptroller Rackley reviewed the request for the Commission. Mrs. Rose offered comment. Discussion ensued based on a question from Commissioner Hoss as to how a seated Commission makes decisions that impact future Commissions with Deputy District Attorney Macdonald and Comptroller Rackley explaining. After discussion the following motion was made by Commissioner Hill and passed unanimously:

*To approve an audit agreement for the next five years with Drake Rose and Associates as read by the Chair.*

FINANCIAL REPORT: Humboldt County Comptroller Gina Rackley will provide an overview of current conditions with respect to Humboldt County revenues and expenditures for fiscal year 2023 (July 1, 2022 through June 30, 2023), including an update on the American Rescue Plan Act (ARPA) and other funding available to the County. Comptroller Rackley noted that the budget packets are ready but they do not have the revenue projections as the final numbers will not be received until the 27<sup>th</sup> and explained; she further commented on the bankruptcy filing by Ruby Mountain Pipeline explaining how this is impacting county entities including Pueblo Fire District. She stated nothing has changed with the ARPA funding

though there may be a request received from the Paradise Valley Community group related to replacing a hot water tank at the community hall.

CITY-COUNTY INSURANCE BENEFITS COMMITTEE: Comptroller Rackley appeared before the Commission representing this committee.

UPDATE REGARDING ACTIVITIES OF THE COMMITTEE AND THE PROPOSAL FOR A SELF-INSURED HEALTH INSURANCE PLAN AND REQUEST FOR QUOTE FOR THE COST TO MOVE TO A PLAN. Consideration, discussion and possible action regarding activities of the City-County Insurance Benefits Committee's proposal for a self-insured health insurance plan and request for input from Commission regarding whether or not to continue to move forward or proceed to receive a quote for the costs to move to such a plan effective July 1, 2023. Comptroller Rackley updated the Commission on the status and what has been seen with insurance claims since the County went with Anthem and the need to obtain stop-loss insurance. Comptroller Rackley stated that the Committee is looking for the County's appetite to move forward as the City Council has approved looking at proposals. Discussion ensued regarding the possible involvement of the Hospital group, that this type of plan would possibly open up additional wellness benefits for the employees, how the funding would work, the ability of employees to include family members and how it would impact the stipend offered by the County. After discussion the following motion was made by Commissioner Cerri and passed unanimously:

*To move forward with consideration for the city/county entering into a self-insured health plan and to receive a quote for moving forward with said plan effective July 1, 2023.*

TREASURER: Treasurer Rhona Lecumberry appeared before the Commission.

REQUEST THAT PERSONAL PROPERTY TAXES BE DEEMED UNCOLLECTIBLE: Consideration, discussion and possible action on the request of the Treasurer that the personal property taxes for account EQ 331 be deemed uncollectible per NRS 361.5607, in the amount of \$240.91, since the business has closed. Treasurer Lecumberry reviewed the request for the Commission to designate personal property account number 331, located at Grass Valley Plaza, billed to New York Deli in the amount of \$240.91 for tax year 2019-2020. Treasurer Lecumberry reviewed the request for the Commission. The following motion was made by Commissioner Cerri and passed unanimously:

*To approve the request for the Treasurer to deem uncollectable personal property taxes for account EQ 331 per NRS 361.5607 in the amount of \$240.91, since the business is closed.*

PLANNING DEPARTMENT: Senior Planning Technician Betty Lawrence appeared before the Commission via Teams.

SET TO PUBLIC HEARING: Consideration, discussion and possible approval to Set to Public Hearing for a future date to be determined by the County Clerk for the following:

RH-23-11 – Zone Change request submitted by Regional Planning Commission on behalf of Union Pacific Railroad Co to change the C (Commercial) zoning designation to AG-10 (General Agriculture 10- acre minimum lot size) zoning designation. Subject property is located off Jungo Road; assessor’s parcel #10-0053-02. Chairman Tipton read the title of the item to be set to public hearing. Commissioner Hoss asked about the location of the parcel. Mrs. Lawrence responded. The following motion was made by Commissioner Cerri and passed unanimously:

*To set to public hearing at a future date to be determined by the County Clerk RH-23-11 as read into the record by the Chair.*

RH-23-12 – Zone change request submitted by Regional Planning Commission on behalf of Hunt Nevada Properties to change the C (Commercial) zoning designation to M-1 (Industrial) zoning designation on property located at 4165 W Winnemucca Boulevard; assessor’s parcel #13-0042-28. Chairman Tipton read the title of the item to be set to public hearing. The following motion was made by Commissioner Cerri and passed unanimously:

*To set to public hearing at a future date to be determined by the County Clerk RH-23-12 as read into the record by the Chair.*

Commissioner Evatz lost connectivity at 11:13 a.m.

RH-23-13 – Zone Change request submitted by Regional Planning Commission on behalf of JPL Investments, LLC to change the C (Commercial) zoning designation to CH (Highway Commercial) zoning designation. Subject property is located N of I-80; assessor’s parcel #13-0081-06. Chairman Tipton read the title of the item to be set to public hearing. The following motion was made by Commissioner Cerri and passed with Chairman Tipton and Commissioners Hill, Cerri and Hoss voting aye and Commissioner Evatz not being present:

*To set to public hearing at a date to be determined by the County Clerk RH23-13 as read into the record by the Chair.*

RH-23-14 – Zone Change request submitted by Regional Planning Commission on behalf of Western States Investments, LLC to change the C (Commercial) zoning designation to R-3 (Multiple- family residential) zoning designation. Subject property is located off E Winnemucca Boulevard; assessor’s parcel #10-0243-01. Chairman Tipton read the title of the item to be set to public hearing. The following motion was made by Commissioner Cerri and passed with Chairman Tipton and Commissioners Hill, Cerri and Hoss voting aye and Commissioner Evatz not being present:

*To set to public hearing at a date to be determined by the County Clerk RH-23-14 as read into the record by the Chair.*

Chairman Tipton recessed the meeting at 11:14 a.m. reconvening at 11:20 a.m. with Commissioner Evatz rejoining the meeting.

ASSESSOR: Assessor Andy Heiser appeared before the Commission.

REQUEST TO APPROVE CONTRACT FOR THE COUNTY-WIDE ORTHO FLIGHT FOR AERIAL IMAGERY: Consideration, discussion and possible approval of a contract with Pictometry International Corp. (a member of the EagleView family of companies) for nine years to conduct a county-wide ortho flight every three years for aerial imagery of the entire county for a total amount not to exceed \$2,337,582.24, with the cost of each flight to be \$779,194.08 which can be paid in annual installments of \$ 259,731.36 for three years, and authorization for the Assessor to sign the agreement after approval by the District Attorney's Office. A copy of the proposal summary was included on the on-line agenda for review. Assessor Heiser reviewed the request for the Commission including the possible implementation of NG 9-1-1 which involves a statewide dispatch system as well as other items that this will allow to occur; he noted his intention to use his Technology Fund for these costs stating that he can afford this for the next nine years but noted possible grant funding which may be available; he continued reviewing what will be provided in the county-wide flight and how the data can be used by his office, public works and law enforcement; he explained that he dictates when they fly so, if the funds are not there, flights will not occur. Chairman Tipton asked for clarification as to data shown in the proposal. Assessor Heiser responded. Commissioner Hoss asked what the plan is for the flights. Assessor Heiser responded his plan is to have the flight done every three years and explained. Commissioner Cerri stated that he struggles with this as it is wants versus needs and noting that the Sheriff's Office wants it but is not willing to pay for it and he does not believe the benefit will exceed the cost so he doesn't believe he can support this. Commissioner Hill asked how this process starts. Assessor Heiser responded. Commissioner Hill asked, if the terms were extended out to five or six years, would that change the proposed terms. Assessor Heiser responded noting that he can go back and ask for information as to a longer term such as a twelve year with flights every four years. Commissioner Hill commented on the benefits of the program and noted concerns about stretching it out past three years. Comptroller Rackley explained where the funding would come from and how the Assessor's Technology Fund works noting concerns about what could result if the Assessor does not spend these funds. Assessor Heiser commented on how he has used his Technology Fund to save the General Fund dollars and commented on the use of this program and other funding sources that other Counties have used. Commissioner Evatz asked how this impacts the current GIS

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situation. Assessor Heiser explained. Commissioner Evatz asked about the ability to use concentrated flights for those areas with change. Assessor Heiser responded. Commissioner Evatz asked for clarification on the ability to choose not to fly. Assessor Heiser explained that he can choose not to fly again after the first time and that has been confirmed with the company representatives. Discussion ensued regarding whether this contract would come back before the Commission for each cycle, how this would integrate with law enforcement, how a request can be made for a specific area and how the funding would be different if the Sheriff provided funding. Commissioner Cerri asked if the Assessor has any other planned expenditures from the Technology Fund in the upcoming budget request and what the current amount is coming into that Fund. Assessor Heiser responded. After discussion the following motion was made by Commissioner Hill and passed with Chairman Tipton and Commissioners Hill, Hoss and Evatz voting aye and Commissioner Cerri voting nay:

*To approve a contract with Pictometry International Corp a member of the EagleView family of companies for nine years to conduct a county-wide ortho flight every three years for aerial imagery of the entire county for a total amount not to exceed \$2,337,582.24, with the cost of each flight to be \$779,194.08 which can be paid in annual installments of \$ 259,731.36 for three years, and authorization for the Assessor to sign the agreement after approval by the District Attorney's Office.*

Assessor Heiser offered comment on an error made by his Office in an abatement process which will be brought before the Commission by the Treasurer.

Chairman Tipton recessed the meeting at 11:54 a.m. reconvening at 11:58 a.m.

Commissioner Evatz joined the meeting in person.

PUBLIC WORKS DEPARTMENT: Public Works Director Don Kalkoske appeared before the Commission.

ROCK CRUSHING BIDS: Consideration, discussion and possible approval of a bid from Hunewill Construction for rock crushing at Morrey Creek Community Pit in Paradise Valley in an amount not to exceed \$98,996.20. The solicitation was advertised in accordance with NRS 332.045 and the following responses were received. H.E. Hunewill Construction Co. Inc. (Winnemucca, NV) location product price per cubic yard total price Morrey Creek Pit Type II-B \$6.85 @ 14,452 CUYD \$98,996.20. Director Kalkoske reviewed the request for the Commission. The following motion was made by Commissioner Cerri and passed unanimously:

*To approve the rock crushing bid to Hunewill Construction at Morrey Creek Community Pit in Paradise Valley in an amount not to exceed \$98,996.20.*

DUST CONTROL BID: Consideration, discussion and possible approval to award bid to Dustbusters to apply Magnesium Chloride to reduce dust on certain county roads in an amount not to exceed \$275,000. The

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Public Works Department advertised and solicited responses per NRS 332.065 which were opened February 24, 2022. The following responses were received: Envirotech Services Magnesium Chloride: \$164.53/Ton = \$352,769.40, and Dustbusters Magnesium Chloride: \$132.50/Ton = \$262,350.00. Director Kalkoske reviewed the request for the Commission noting the amount budgeted which comes from the RTC Fund is less than the request and explained noting the plan to remove some of the roads as previously discussed. After discussion the following motion was made by Commissioner Hill and passed unanimously:

*To award the bid to Dustbusters to apply Magnesium Chloride to reduce dust on certain county roads in an amount not to exceed \$275,000.*

GENERAL ROAD PROJECTS: A presentation by Humboldt County Public Works Director Don Kalkoske to update the Board on Road projects within Humboldt County, 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. Director Kalkoske reported on issues in the county related to the moisture received, the plan to add more drainage structures in some areas based on what has occurred, repairs to ditches due to damage by cattle, status of some water on some roadways in the county and how it is being addressed and that another backhoe has been rented and staged in Denio to service that area just in case. Commissioner Evatz asked how the rental fee works. Director Kalkoske responded including the plan to use the equipment to replace cattle guards on the Sheldon Refuge.

LIBRARY: Library Director Jessica Anderson appeared before the Commission.

REQUEST TO ACCEPT A GRANT FOR COMMUNITY PROGRAMMING: Consideration, discussion and possible acknowledgement and acceptance of a grant from All Together Now - Community Programming to supply adult programming throughout the community in an amount not to exceed \$10,000, provided through the Library Services and Technology Act (LSTA). Included on the on-line agenda for review was a copy of the Nevada State Library, Archives & Public Records Federal 2022 LSTA Grant-in-Aid Award. Director Anderson reviewed the request for the Commission. Commissioner Hill asked who would manage this grant. Director Anderson responded that she would. The following motion was made by Commissioner Cerri and passed unanimously:

*To accept a grant for community programming and to accept an amount not to exceed \$10,000.00.*

APPROVE A PROPOSAL TO BUILD OUT FIBER INTERNET TO THE MCDERMITT AND DENIO BRANCH LIBRARIES AND BUILD A 1GB TRANSPORT TO THE WINNEMUCCA BRANCH LIBRARY: Consideration, discussion and possible approval of an E-Rate proposal from Zito to build out fiber internet to McDermitt and Denio Branch Libraries at \$0.00 cost to the library after the 90% E-Rate Discount and the 10% State

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Matching Funds totaling \$7,268,875.00, to build the 1GB transport from the Technology Services/Dispatch Building to the Humboldt County Library at a cost to the library of \$2,500.00 after the 80% E-Rate Discount of \$12,560.00, and for the library to enter a 36 month agreement for high speed internet services beginning in fiscal year 2024 for the Denio, McDermitt and Winnemucca branches at the discounted total cost of \$3,140.00 for the first year and \$2,640.00 for each subsequent year. Included on the on-line agenda was a copy of the staff report detailing this request with attachment (see attached). Director Anderson reviewed the request for the Commission. Commissioner Cerri asked about consideration of using StarLink. Director Anderson responded. Commissioner Cerri observed that he did not believe it would result in as much for monthly costs. Commissioner Hoss offered comment that StarLink might be something to look at and explained. Melinda Van Patten, Nevada E-Rate Coordinator, appeared via Teams and explained how this proposal came to be and what was required for participation for the providers in this program. Commissioner Hill asked if others will be able to access this line. Ms. Van Patten responded. Commissioner Cerri asked what the time line is for this project and when will the monthly costs will begin. Ms. Van Patten responded. Commissioner Evtz commented on his issues with Zito and asked if they are the only game in town. Ms. Van Patten responded. Commissioner Hill commented on his struggle noting that there are communities that could be served with satellite rather than fiber noting the cost to serve small communities. Assistant County Manager Abel del Real-Nava commented on the lack of reliability of the satellite as opposed to fiber also noting cost differences for StarLink services to businesses; he further commented on the benefit of being able to piggyback on the State's project. Chairman Tipton asked for an explanation of the E-Rate. Ms. Van Patten responded. Commissioner Hill asked if there is any benefit to public safety. Technology Services Department Director Ric Grantham appeared before the Commission and explained how this could benefit public safety both at the State level and the local level. Assistant County Manager del Real-Nava offered comment on sites that have been identified for piggybacking on local State projects and the plan to bring that information back in the future. Discussion ensued. Ms. Van Patten noted schools that will be included in the project. Commissioner Cerri asked about the fiber and if it will be new or use existing. Director Grantham explained. Discussion ensued regarding StarLink and benefits with fiber. Commissioner Hill noted his ongoing concerns but asked about plans for areas like Grass Valley. Assistant County Manager del Rel-Nava responded. Commissioner Hoss asked if this is all cable. Director Grantham responded that it will be fiber and explained why it is more reliable. Commissioner Hill stated that it sounds like a good plan for our rural areas and if we don't take advantage of it, someone else will. The following motion was made by Commissioner Hill:

*To approve an E-Rate proposal from Zito to build out fiber internet to McDermitt and Denio Branch Libraries at \$0.00 cost to the library after the 90% E-Rate Discount and the 10% State Matching Funds totaling \$7,268,875.00, to build the 1GB transport from the Technology Services/Dispatch Building to the Humboldt County Library at a cost to the library of \$2,500.00 after the 80% E-Rate Discount of \$12,560.00, and for the library to enter a 36 month agreement for high speed internet services beginning in fiscal year 2024 for the Denio, McDermitt and Winnemucca branches at the discounted total cost of \$3,140.00 for the first year and \$2,640.00 for each subsequent year.*

Commissioner Evatz questioned if there is an opportunity to bring in another provider to make sure we are getting the best opportunity. Assistant County Manager del Real-Nava responded explaining what had occurred with the State's RFP process; he offered to reach out to Zito to come before the Commission and discuss any issues. Director Grantham responded to a question from Chairman Tipton related to the 1GB rate. After discussion Chairman Tipton called Commissioner Hill's motion to a vote which passed with Chairman Tipton and Commissioners Hill, Cerri and Evatz voting aye and Commissioner Hoss voting nay.

TECHNOLOGY SERVICES DEPARTMENT: Technology Services Department Director Ric Grantham appeared before the Commission.

REQUEST TO APPROVE TO PURCHASE SECURITY CAMERAS AND CLOUD STORAGE: Consideration, discussion and possible approval to purchase 38 security cameras and cloud storage from ConvergeOne, in an amount not to exceed \$73,871.26. Included on the on-line agenda for review was a staff report detailing the request (see attached) and copies of the proposal from ConvergeOne for MV Cameras and Cloud Archiving. Director Grantham reviewed the request for the Commission. Commissioner Evatz asked what the justification process is for cameras. Director Grantham responded. Manager Mendiola offered comment. Commissioner Evatz noted his concern about how requests are made, reviewed and approved. Director Grantham responded. Commissioner Evatz explained what he will be looking at during the upcoming budget hearings. Assistant County Manager del Real-Nava offered comment on the ability to do an assessment to determine the need for cameras. Discussion ensued. Clerk Spero offered an explanation as to her request of cameras related to court and elections. Commissioner Hill noted the need to meet statutory requirements and employee safety but indicated the need for justification. Commissioner Hoss stated his agreement with Commissioner Evatz and offered comment. Manager Mendiola offered comment on the use of the cameras currently. Commissioner Evatz noted the need for justification that can be provided with requests. Commissioner Cerri agreed that is a good tone to set going into budgets. After discussion the following motion was made by Commissioner Cerri:

*To purchase thirty-eight security cameras and cloud storage from ConvergeOne, in an amount not to exceed \$73,871.26.*

Commissioner Evatz asked if Commissioner Cerri would amend his motion to allow for less as we are asking Director Grantham to go back and obtain justification for the requests. Commissioner Cerri offered the following amended motion:

*To purchase up to thirty-eight security cameras and cloud storage from ConvergeOne, in an amount not to exceed \$73,871.26 with Director Grantham obtaining justification for said camera requests.*

Commissioner Hoss asked how long it will take to obtain these. Director Grantham responded.

Chairman Tipton called Commissioner Cerri's motion to a vote and it passed unanimously.

HUMAN RESOURCES: Human Resources Director Abel del Real-Nava appeared before the Commission.

LABOR RELATIONS - APPROVAL OF AMENDING AGREEMENT TO THE 2022-2024 AGREEMENT BETWEEN THE COUNTY OF HUMBOLDT AND HUMBOLDT COUNTY LAW ENFORCEMENT ASSOCIATION COLLECTIVE

BARGAINING AGREEMENT: Consideration, discussion, and possible action on a request from the County Manager's Office and Human Resources Department for approval of an amending agreement to the 2022-

2024 Agreement between the County of Humboldt and Humboldt County Law Enforcement Association Collective Bargaining Agreement with the Humboldt County Law Enforcement Association (HCLEA)

following a tentative agreement being reached by the County and HCLEA negotiating teams on March 10, 2023 within the narrow scope set by the Board of Commissioners at a Special Meeting on the same day.

If approved by the Board, the amending agreement will be effective beginning on March 20, 2023, through the term of the collective bargaining agreement. A copy of the proposed amended agreement was

included on the on-line agenda. Human Resources Director del Real-Nava reviewed the request for the Commission. Commissioner Hoss asked where the county cell phones would be stored when the deputies

are not on duty. Sheriff Angel Cardenas appeared before the Commission and explained noting that there will be a policy related to the second cell phone. Discussion ensued. Director del Real-Nava reviewed the

information related to the vest purchase and the amendment to the agreement. Commissioner Evatz asked for confirmation that the Law Enforcement Association is good with both amendments. Sheriff

Cardenas confirmed that they were. Discussion ensued regarding the language "pending final agreement". The following motion was made by Commissioner Hill and passed unanimously:

*To approve an agreement between the County of Humboldt and the Humboldt County Law Enforcement Association.*

Clerk Spero asked for clarification on the language for the motion on item 15 on the agenda as made by Commissioner Cerri. Commissioner Cerri confirmed that the language as read by the Clerk was correct.

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DISTRICT ATTORNEY: Deputy District Attorney Michael Macdonald appeared before the Commission.

UPDATE REGARDING EFFORTS TO FINALIZE ALL RESTITUTION CASES THAT ARE OUTSTANDING AND SETTING DEADLINE FOR RESOLUTION: Consideration, discussion and possible approval to set a date for the District Attorney's Office to identify the owners of the fees paid for restitution over the past several years and to settle those cases no later than June 16, 2023. Deputy District Attorney Macdonald offered an update on the process noting that he expects that this process should be completed by the June date. Commissioner Evatz asked if that date would apply to all new requests as well. Deputy District Attorney Macdonald responded. Commissioner Hoss asked what has changed. Deputy District Attorney Macdonald responded explaining the changes that have been made to both collection at the District Court and Justice Court levels. Discussion ensued. Commissioner Hill asked what happens if it is not done by the date identified. Chairman Tipton asked the Comptroller if there is sufficient time to complete the process. Comptroller Rackley responded that she does believe it can be accomplished. Chairman Tipton asked if this will result in a zero balance or will there be funds left. Deputy District Attorney Macdonald stated he believes there will be funds remaining and explained. Comptroller Rackley offered comment. Commissioner Evatz asked how the auditors will look at this and asked if a stream lined approach has been identified. The following motion was made by Commissioner Cerri and passed unanimously:

*To approve the set date for the District Attorney's Office to identify the owners of the fees paid for restitution as no later than June 16, 2023.*

REVIEW OF LEGISLATIVE BILLS AND BILL DRAFT REQUESTS (BDR) THAT WILL BE TAKEN UP IN THE 2023 NEVADA LEGISLATURE: Consideration, discussion and possible action regarding Senate and House Bills as well as Bill Draft Requests (BDR's) being considered by the Nevada Legislature. The Humboldt County Commissioners may approve letters of support or opposition and resolutions to bills during this agenda item. Comptroller Rackley spoke about AB 172, SB 51, SB 96, SB 124. Clerk Spero addressed election-based legislation. Chairman Tipton commented on legislative bill and BDRs discussed by NACO.

MISCELLANEOUS REPORTS AND CORRESPONDENCE:

Other information and upcoming meetings: Chairman Tipton noted the following upcoming meetings - March 28, 2023 Humboldt General Hospital Meeting, April 3, 2023 Humboldt County Commissioners Meeting, April 4, 2023 Winnemucca City Council Meeting, April 10, 2023 Winnemucca Regional Airport Meeting, April 13, 2023 Regional Planning Commission Meeting, April 17, 2023 Humboldt County Commissioners Meeting and April 18, 2023 Winnemucca City Council Meeting.

Reports from Commissioners regarding other Boards and Committees on which they serve: Commissioner Hill reported on a Humboldt Development Authority meeting and a Paradise Valley Conservation District

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meeting. Commissioner Cerri reported on a WCVA meeting including discussion which occurred as to the design of the outside of the East Hall. Commissioner Hoss reported on his attendance at the community meeting related to the lithium mine at the Boys & Girls Club and a meeting of the Museum Board. Commissioner Evatz noted his attendance at the community meeting related to the lithium mine and an upcoming SLUPAC meeting. Chairman Tipton reported on a WIR meeting, an ARPA meeting, a Humboldt General Hospital community assessment meeting and a meeting with Bob Lucey, the State representative for infrastructure related to infrastructure needs in the county including the Grass Valley situation. Manager Mendiola commented on a grant submitted through Congressman Amodei. Chairman Tipton continued reporting on meetings he had participated in including meetings with Jeremy Drue and Andy Reiber related to an energy chapter on public lands for the master plan that a BLM representative is working on for a better way to handle MOUs and establish Humboldt as a cooperating agency and a NACO bill draft committee meeting. Commissioner Hill noted the opioid summit coming up on April 3<sup>rd</sup> as well as the associated survey.

FUTURE AGENDA ITEMS: Whether an item will be placed on a future agenda will be subject to the chairman and/or legal counsel's determination. Manager Mendiola indicated that he would reach out to representatives of Nevada Rural Housing and try to get them to appear at the April 3<sup>rd</sup> meeting, that the Commission may have a special meeting to visit proposed sites for the Buildings & Grounds building, the public hearings set for April 17<sup>th</sup> and the need to bring back the justification for cameras. Chairman Tipton asked Manager Mendiola to notify department heads about the need for justification for budget requests. Discussion ensued regarding a possible meeting related to renovation of the courts. Chairman Tipton asked Commissioner Hoss when he would like the information brought back on seeking a replacement for the County Manager noting that he believes it is too early. Commissioner Hoss disagreed noting the time to find someone and what is involved. Deputy District Attorney Macdonald asked that the Commission agendaize and item to discuss the process to be used for the search. Discussion ensued. Juvenile Director Pauline Salla offered comment via Teams encouraging the Commissioners to attend the Opioid Summit. Discussion ensued regarding the ability of the Board to attend the meeting and how that can be accomplished. Commissioner Evatz asked that the Manager reach out to Eddie Booth to arrange for him to attend a Commission meeting and report on what had been discussed at the State Board of Wildlife, that an update on the shooting range be scheduled and a report on the BLM land exchange; he suggested that the call to Nevada Rural Housing include Chairman Tipton. Manager Mendiola commented on the land exchange status. Commissioner Evatz suggested that a meeting with the BLM local director occur. No further items offered.

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PUBLIC COMMENT: Chairman Tipton asked for public comment. Christina Kenison appeared before the Commission and requested time on the agenda. Discussion ensued regarding the topic and length of the time with Mrs. Kenison indicating that it would be discussion, as to the authority of the County as to the airport. Deputy District Attorney Macdonald indicated that he could look into it. Discussion ensued regarding a date and time based on the need for the District Attorney's Office to do the required research. Commissioner Hill stated, for the record, that he believes we need to have a very specific item for what Mrs. Kenison has asked to be put on the agenda and we are going to oblige her by putting an agenda item out there; that he thinks it needs to be very specific to what is the role of this board; that it was said earlier that the county is laying down but he does not think anyone in the county is laying down either way, he thinks this is untraveled waters, he thinks this is unnavigated waters and he thinks the Board needs to realize what their role is and what their boundaries are and what their legal authorities are around this subject and so we start there; he is not going to say that it is an end as there are always things but it is a good start and we need to know how we fit in this whole piece.

ADJOURNMENT: Chairman Tipton adjourned the meeting at 2:40 p.m.

ATTEST: \_\_\_\_\_ APPROVED: \_\_\_\_\_  
Clerk Chairman

(Minutes approved by the Commission and signed by the Chairman on \_\_\_\_\_)



**Humboldt County Board of Commissioners**  
**July 10, 2023 at 8:30 AM**  
**Meeting Minutes**

Those present were Chairman Ken Tipton, Commissioners Ron Cerri, Jesse Hill, Tom Hoss and Mark Evatz, Deputy District Attorney Michael Macdonald, County Manager Dave Mendiola and Clerk of the Board Tami Rae Spero.

CALL TO ORDER: Chairman Tipton called the regular meeting to order in the regular place of meeting at the County Meeting Room #201, Courthouse, Winnemucca, Nevada.

PLEDGE OF ALLEGIANCE: All present recited the Pledge of Allegiance.

PUBLIC COMMENT: Chairman Tipton asked for public comment. Colton Brunson, Water Commissioner and Ridge Ricketts, Water Resource Specialist appeared before the Commission and provided an update on the water year so far for 2023 including acre-feet delivered, the status of individual water sources and the flow of the river with the run-off; they noted their availability to the Commission and the public for questions. Commissioner Cerri asked about the release of water from Chimney. Mr. Brunson responded. Commissioner Hill stated that, while he appreciated the update, he requested that this matter be agendaized in the future to allow for discussion by the Commission; he asked for clarification as to what was said about Rye Patch. Mr. Brunson responded. Commissioner Evatz requested that a further update be agendaized for a future meeting.

DJ Sexton with Humboldt Telephone appeared before the Commission via Teams and updated the Commission on the process of the running of fiber optic in the rural areas; he noted that he had tried to get on the agenda a few months ago to discuss this with the Commission but that they were not allowed to. Mr. Sexton continued discussing what they have done and the cost difference. Commissioner Hill asked that the matter be agendaized to allow for discussion by the Commission as it may impact the utilizing of the taxpayers' money. Mr. Sexton continued commenting. Commissioner Evatz asked that Mr. Sexton get with Manager Mendiola to get this agendaized.

Jaimie Nicotera appeared before the Commission and offered public comment on the proposed transloading station which is very close to her home noting issues with the value of her home based on this proposal and the impact of that; she continued thanking the Commission for looking at a different location and the arrangements for the wastewater treatment plant as it is not a good spot and could affect a lot of things noting how; the time-line for the transloading station and the long-term impact of that noting how; she asked that the Commission put a stop to it due to these concerns noting worse case scenarios; she noted that she is not opposed to growth and what it can do for our community but she is concerned about the stress and strain on the community and its infrastructure and asked that the Commission think about the detriment it will be to our community.

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No further public comments.

APPROVAL OF MINUTES: Discussion and action on correction/approval of minutes for discussion and action on correction/approval of minutes for June 20, 2023. Chairman Tipton asked for corrections for the minutes of June 20, 2023; none offered. The following motion was made by Commissioner Hill and passed with Chairman Tipton and Commissioners Hill, Hoss and Evatz voting aye and Commissioner Cerri abstaining as he had not been in attendance:

*To approve the June 20, 2023 minutes as presented.*

APPROVAL OF EXPENDITURES FOR HUMBOLDT COUNTY FOR JUNE 20, 2023 THROUGH JULY 10, 2023: Commissioner Hoss asked about a claim in the computer section to confirm that it wasn't a duplicate. Comptroller Rackley responded from the audience. The following motion was made by Commissioner Hill and passed unanimously:

*To approve the expenditures for Humboldt County for June 20, 2023 through July 10, 2023 as presented.*

DISCUSSION TO POSSIBLY HIRE INDEPENDENT CONSULTANT TO PROVIDE OPINION OF PHYSICAL, LEGAL AND ENVIRONMENTAL IMPACTS OF PROPOSED TRANSLOADING FACILITY NEAR AIRPORT: Consideration, discussion and possible action to retain an independent consultant to investigate, report and provide recommendations to the county on physical, legal and environmental impacts of the chemical transloading facility near the airport proposed by Lithium Americas on land that is totally owned and operated by the City of Winnemucca. Chairman Tipton stated that he does not believe this item should be on the agenda, he allowed it out of respect for a fellow Commissioner as Commissioner Hoss had requested the item; he explained that the Commission has been told that the City owns the property and has full control of how the property runs and we haven't seen anything else factual that shows anything different and so he can't get over that, that this Board shouldn't be looking into something that, even if something was found, this Board would not have any authority to do anything with it, it would go back to the City; he noted the meeting held where questions and answers were provided by various individuals including the FFA representative from Armstrong Consulting.

Commissioner Hill offered comment noting that he has unanswered questions; he commented that originally when this property was acquired, it was a joint venture between the County, the Development Authority and the City so he questions if the County has any skin in the game given other monies involved to purchase the property in question; that it appears to be true that the City owns this property outright but he questions whether there is a relationship there that allows for the County to have skin in the game; he noted concern about liability for the County if something does happen at the site and

questioned whether the right things are being done for the county citizens as zero city citizens are impacted by this.

Commissioner Hoss offered comment noting that the Commission has just heard from one of our County citizens and we have heard a number of questions so he believes that it is in our best interest to answer these questions before we commit to any agreement; that knowledge is power and the risk to our citizens is far too great to not have a clear path forward; that the initial plan for the experimental process by lithium is still unseen; that there are concerns about the schools and the children as it is certain that there will be spills and different stuff that would be going on out there given the hazardous materials that are going to be handled out there; he noted the wind and its impact; the lack of resources to handle casualties if the airport is shut-down; the financial strain on the county budgets as there will not be any taxes involved from Lithium Nevada for many years; the need for law enforcement and traffic controls; what types of insurance and bonds are needed to protect the community and the county; that there is no one in the community with the expertise to write a contract to protect the citizens which is why he is asking for outside help; that the current record of railroad safety creates a realistic risk for our community; that the flow of hazardous materials flowing through and around the town will just be added to if this goes through; that this is going to increase our risk for a more catastrophic situation and it will be up to the County to take care of it; that the Commission is supposed to be out there helping to protect our citizens; that we have city property inside the county area so, for those saying we have no say, we do as it is in the county not the city, so we need to go out there and let them know exactly what they can have and how they can have it; that the rules and regulations are already on the books and the county will be the one held responsible so we need to protect ourselves; he noted discussion with Joey Gilbert an attorney out of Reno indicating that he had offered to come and discuss this with the Commission and would look at what he could do to protect us.

Commissioner Evatz offered comment noting that he lives in the area near the location; he commented on the utilization of the County's District Attorney and conversations with the City, the logistics of the project, the rigors of permitting for the build, construction and operation by the appropriate authorities most of which are within the State government to oversee; he noted that the appropriate authorities have come in to say that it is appropriately placed and would not interfere with the operation of the airport; he noted facilities that are in the vicinity of airports in other communities; he commented that all lives are important to him and so he looks after all the constituents of the County; that this is private sector project, that they have come in, they have engaged appropriately with the owner of the property, they have gone through the rigors of engineering design, they will be going through the rigors of

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permitting operational aspects and they will be held accountable accordingly; he commented on finding a consultant or attorney that would say they support the opposition to the project but then what about the constituency that supports the project, what is their recourse; he noted the costs of engaging in the aspects identified in this item which would be a burden to the county and which he would not support.

Commissioner Cerri noted his understanding of what the residents of Grass Valley are experiencing as much of it is what has been experienced by the residents of Orovada over the last three years; that they did all the same things that are being done here but noted that we have no control over the federal and state agencies; that the county does not own the property and if we try and control it, this will go to court and the outcome would not be in our favor because it is written that we don't control it, the city does; he noted the importance of making sure that we are involved in the whole process including permitting and everything that is involved; he stated that he doesn't like it either including that county residents don't get to vote for those that are making decisions that impact their life and that is a big hole in this thing as far as he is concerned; that he can't see spending tax payer dollars as we have had numerous experts coming in and saying that we don't have worry as to the toxic chemicals; he believes that we could spend the money to do this, but in the end he doesn't think this will come out in favor of those opposed; that we would end up in court and spend hundreds of thousands of dollars paying an attorney for something we can't win; that he has sympathy for what people are facing but that is the reality of it, so he cannot in good conscience say that would be money well spent.

Chairman Tipton commented that is about the transloading facility and he is not for or against the lithium mine, but he can't get over the fact that this is city property; he commented on ownership and authority over city and/or county properties and his concerns that it will take more than one legal office with the knowledge to pursue something like this. He asked legal counsel if, there is anything, indicating that this property is not owned and operated by the City.

Deputy District Attorney Macdonald stated that, as previously indicated, the application for the property was made by the City; that the City came to the County and asked for a financial contribution which has occurred on different projects through the years including the fairgrounds and the convention center; that the patent from the US Government is in the name of the City of Winnemucca, that it is not jointly owned, for all those reasons, it is our position that the City of Winnemucca owns that property.

Christina Kennison appeared before the Commission. Discussion ensued regarding when public comment will be taken.

Commissioner Hoss asked, if the City, has to follow all rules as he would as a property owner in the area. Deputy District Attorney Macdonald confirmed that the City would need to follow all federal, state and

local laws and regulations. Commissioner Hoss agreed and stated, so the County will be involved in the process; he stated that he would like another opinion on this and explained; he stated that the people have the right to be heard and to make sure that this is going to be compatible to the area and to the people.

Commissioner Evatz noted that even with the move to the Jungo area it would not change the logistics of the facility and that would not change the need for resources to be provided by the County, City and State.

Discussion ensued regarding placing the facility in the Jungo area and the impact of that.

Commissioner Hill called for a point of order as the agenda item is whether this Commission should hire an outside firm to look at all the legal aspects of this commenting that we are getting into items not agendaized and he believes we should stay on the agenda item. Commissioner Evatz asked what the cost would be for this. Commissioner Cerri agreed with the point of order; he noted that much of what has been noted by Commissioner Hoss had been talked about in Orovada; that we will not be only hiring an attorney but that attorney will need to hire technical expertise so this will cost a considerable amount of money. Manager Mendiola offered comment on the costs. Discussion ensued.

Commissioner Hill offered comment noting that he by no means is in favor of doing something that is going to decimate the citizens of this county but noted the need to make tough decisions as a commissioner some of which are good and some which don't set well with the people; he commented on his experience in mining noting that he has worked with stuff that is lot worse than this proposal and that he does trust the process but noting that things like spills do happen but that there are things in place to prevent those type of situations and that this project has along way to go before it is up and running; he noted that the agenda item is do we spend money to undermine a decision that has already been made, to squash rumors by hiring attorneys and that he does not believe that is the best use of county funds; that he wants to trust the process but that, if there is a red flag that we have control over, his commitment is to protect the citizens; that he does not support undermining our officials.

Christina Kenison offered comment noting that multiple citizens have been coming to the Commission for months now and, if the citizens of Humboldt County file suit, does that not then require outside legal representation. Deputy District Attorney Macdonald explained the process including contacting our insurance representative and the ability to seek attorney fees. Ms. Kenison noted that the citizens could do that as well. Ms. Kenison asked about the joint airport agreement and offered comment as to a deficit with the Commission's legal representation as well as to the joint agreement.

Jaime Nicotera appeared before the Commission and asked if the Commission would seek additional legal counsel to consult with the FFA and ask someone that uses the process that works in this environment if they think it is a good idea to have this type of facility placed this close to a community; she requested that a motion be made to allow for the Commission to be able to work and hash this out and hopefully, the citizens can be part of that process. She continued noting the impact of this project and asked, what is this community seeing in return such as roads, community support and including insurances, bonds and legal assistance; she continued commenting on what needs to be looked at and what the Commission should look at. Commissioner Cerri suggested creating a group such as in Orovada and McDermitt to talk directly to the company and explained what had occurred in Orovada. Ms. Nicotera offered comment on what attempts to engage she has made with the company and the City and what has occurred with that; and other options available that could be looked at.

Commissioner Hoss offered comment on what occurred in Orovada and the attempt to get a good neighbor policy, the relocation of the school; that he would like to see this moved to somewhere else; he questioned the taxes that will be paid and who will be paying for the upkeep on what they will be using; what is being asked is that this be moved away from the people.

Ms. Kenison asked that the Commission consider outside legal counsel to look at the legal ownership of the airport and its properties and what the legal responsibilities are and limit the amount to be spent.

Chairman Tipton stated that he could not support that and explained. Commissioner Evatz referred to the prior point of order noting that these are issues that may be placed on a future agenda. The following motion was made by Commissioner Hoss and failed with Commissioner Hoss voting aye and Chairman Tipton and Commissioners Hill, Cerri and Evatz voting nay:

*To hire an independent consultant to provide options of physical, legal and environmental impacts of proposed transloading facility near the airport.*

No further action taken.

PLANNING DEPARTMENT: Senior Planning Technician Betty Lawrence appeared before the Commission via Teams.

9:00 A.M. PUBLIC HEARING: Consideration, discussion and possible approval of the following:

RH-23-22 – Zone Change request submitted by Regional Planning Commission on behalf of Tom Hoss to change the C (Commercial) zoning designation to M-L (Light Industrial) zoning designation. Subject property is located at 5880 W Rose Creek Road; assessor's parcel # 13-0092-13. A copy of the Notice of Public Hearing and the proposed Ordinance were included on the on-line agenda for review. Chairman Tipton called the public hearing to order at 9:48 a.m. and read the title of the item set to public hearing.

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Commissioner Hoss stated he would be abstaining from this item as this is his property. Mrs. Lawrence noted that the Planning Commission had recommended approval of this zone change. Chairman Tipton asked for public comment; none offered. The following motion was made by Commissioner Hill and passed with Chairman Tipton and Commissioners Hill, Cerri and Evatz voting aye and Commissioner Hoss abstaining:

*To approve RH-23-22 as presented for a zone change as read into the record by the Chair.*

*(Ordinance No. 07-10-23)*

Chairman Tipton recessed the meeting at 9:49 a.m. reconvening at 9:54 a.m.

SIXTH JUDICIAL DISTRICT SPECIALTY COURTS: Juvenile Services Director Pauline Salla appeared before the Commission on behalf of the Judge Michael Montero and Specialty Court Coordinator Julia Dendary.

REQUEST TO PURCHASE A PRIVACY POD: Consideration, discussion and possible approval of a request to purchase a privacy pod to accommodate participants' engagement in private mental health and substance use treatment sessions via telehealth in an amount not to exceed \$7,896. The Sixth Judicial Specialty Courts will utilize current AOC funding, awarded for FY24 to pay for this pod. Included on the on-line agenda for review were quotes from ROOM - \$7,896.00 and Zenbooth - \$6730.00. Director Salla reviewed the request for the Commission. Discussion ensued regarding what is currently occurring, what the location will be, how the process works, access, can a room be created rather than a pod, that this is grant funding, that pods can be moved whereas an office cannot, the use with telehealth and whether computers are included or will that be a separate cost. Jessica Anderson offered comment via Teams regarding the pods that they have at the library. The following motion was made by Commissioner Evatz:

*To approve a pod for placement in the law library area, a privacy pod to be utilized as proposed in agenda item eight in an amount not to exceed \$7,896.00 to include installation and operational capacity.*

Discussion ensued as to whether the amount proposed will cover all costs associated including installation, electricity, and such. After discussion Chairman Tipton called Commissioner Evatz's motion to a vote and it passed unanimously.

NEVADA RURAL HOUSING AUTHORITY: Michon Hurst, Deputy Executive Director for Nevada Rural Housing Authority appeared before the Commission.

RESOLUTION AND APPROVAL TO TRANSFER THE 2023 PRIVATE ACTIVITY BOND VOLUME CAP TO NEVADA RURAL HOUSING AUTHORITY: Consideration, discussion, and possible approval of a Resolution to transfer the Humboldt County 2023 Private Activity Bond Volume Cap in the amount of \$557,401.03 to the Nevada Rural Housing Authority (NRHA) for its single-family programs in 2023 pursuant to NAC

348A.180. Included on the on-line agenda was a copy of the Humboldt County Community Progress Report. Ms. Hurst reviewed the request for the Commission. Chairman Tipton noted a prior issue with renters and a raise in rental costs and asked if any portion of this would be available to offset those costs. Ms. Hurst explained that this funding is for homeownership but noted that those increases have been rolled back. Discussion ensued as to the funding, what it can be used for and where it can be used. After discussion the following motion was made by Commissioner Cerri and passed unanimously:

*To approve the Resolution to transfer the Humboldt County 2023 Private Activity Bond Volume Cap in the amount of \$557,401.03 to the Nevada Rural Housing Authority for its single-family programs in 2023.*

*(Resolution No. 07-10-23)*

COMPTROLLER: Comptroller Gina Rackley appeared before the Commission.

RESOLUTION TO ESTABLISH THE SELF-INSURANCE FUND: Consideration, discussion and possible approval of a Resolution to establish the Self-Insurance Fund. Resources are anticipated with the first payrolls in July (check date July 14, 2023) and this fund needs to be established before the revenue is to be received. Comptroller Rackley reviewed the request for the Commission. After discussion the following motion was made by Commissioner Evatz and passed unanimously:

*To approve a Resolution to establish the self-insurance fund as discussed and presented in agenda item 10.*

*(Resolution No. 07-10-23a)*

FINANCIAL REPORT: Humboldt County Comptroller Gina Rackley will provide an overview of current conditions with respect to Humboldt County revenues and expenditures for fiscal year 2024 (July 1, 2023 through June 30, 2024), including an update on the American Rescue Plan Act (ARPA) and other funding available to the County. Comptroller Rackley reviewed April CTX revenues, centrally assessed revenue and the pending closure for the purchase of Gold Country Water. Commissioner Evatz asked where the County stands on the end of year expenditures. Comptroller Rackley responded. Commissioner Evatz asked that a list of those budgets that are over and projects that weren't completed be provided to the Commission. Commissioner Cerri asked if information is provided related to Lithium Nevada's purchases. Comptroller Rackley responded. Commissioner Evatz commented that the County should be in communication with them and their purchasing/accounting departments to ensure that, any and all aspects of the assets which are utilized to operate the site, be delivered in Humboldt County. Discussion ensued as to how to ensure that. Commissioner Cerri requested that representatives come in before the Commission to report on the process. Comptroller Rackley continued reporting on the ARPA funding.

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COMPTROLLER AND ASSESSOR: Comptroller Gina Rackley appeared before the Commission.

ESTABLISHING A DOG CONTROL DISTRICT ASSESSMENT: Consideration, discussion and possible approval to proceed with creating an assessment to be placed on the tax roll for parcels located within the dog control districts. It will take significant time to hold the necessary public hearings, create and submit necessary documents to the Dept. of Taxation and for the Assessor's office to place the assessment on the eligible parcels prior to billing of taxes in July of 2024. Included on the on-line agenda for review was a staff report detailing the request including the potential fiscal impact (see attached). Commissioner Evatz reviewed this item for the Commission. Comptroller Rackley offered comments on the process including how many parcels would be included in the district, how the costs were determined, noting that no deductions in tax dollars would occur for the parcels outside the district. Commissioner Hill noted his concern about opening a can of worms with any citizen that does not get the exact amount of these services as another citizen and questions if we will end up creating all these different assessment districts. Discussion ensued. Commissioner Cerri stated his thanks for this and commented. Commissioner Hoss asked how this impacts properties. Comptroller Rackley responded. Commissioner Hill asked why there is no decrease. Comptroller Rackley responded. Discussion ensued. The following motion was made by Commissioner Evatz and passed unanimously:

*To proceed with the appropriate hearings and other government related activities to proceed with creating an assessment to be placed on the tax roll for parcels located within the existing dog control district as communicated and presented in agenda item eleven and the associated staff report.*

Chairman Tipton recessed the meeting at 10:57 a.m. and reconvened at 11:03 a.m.

Chairman Tipton stated that the Commission would proceed to item 18 on the agenda at this time.

TREASURER: Treasurer Rhona Lecumberry appeared before the Commission.

REQUEST TO PROCEED WITH 2024 DELINQUENT TAX AUCTION: Consideration, discussion and possible authorization for the Treasurer to proceed with title searches for properties to be sold in the 2024 delinquent tax auction. Included on the on-line agenda for review was a copy of the Parcel List for the April 2024 Delinquent Tax Auction (see attached). Treasurer Lecumberry reviewed the request for the Commission. Discussion ensued regarding the hold-over parcels from prior auctions. The following motion was made by Commissioner Cerri and passed unanimously:

*To authorize the Treasurer to proceed with title searches for properties to be sold in the 2024 delinquent tax auction.*

POSSIBLE BUILDOUT OF BROADBAND INFRASTRUCTURE FOR CERTAIN COUNTY BUILDINGS AS PART OF STATE OF NEVADA RURAL BROADBAND INITIATIVE: Consideration, discussion and possible approval to

connect certain government buildings in Humboldt County with fiber optic broadband in Winnemucca and the rural communities and use ARPA funds to cover the costs. Manager Mendiola reviewed the request for the Commission explaining what had occurred on behalf of the State on this process and what the County has been looking at with this process. Included on the on-line agenda was a staff report and letter from Zito (see attached). *[There was a brief break due to technical difficulties reconvening at 11:49 a.m.]* IT Services Manager Mike DeTullio appeared before the Commission via Teams and discussed how this would benefit county facilities connectivity and identified the priorities. Discussion ensued regarding the cost for the priority one facilities, what results in the cost differences between sites, how the sites were chosen and what is included in the sites, if RFPs were done, that the State did the RFP and that Zito was the best option due to cost and reliability, what the cost proposals include, that some of what is provided by Zito may be already provided and what the language of a motion might be. Commissioner Cerri asked what the public comment by Mr. Sexton was related to. Manager Mendiola responded that he seemed to be commenting on what they have available in the northern part of the County but noted that, this is a State of Nevada project not a county project, and Humboldt Telephone had an option to bid the project. Commissioner Hoss indicated that they were not provided with the ability to bid. Manager Mendiola disagreed but commented that State representatives were not present to address that. Commissioner Hill asked for clarification as to what we are actually paying for. Manager De Tullio responded. Commissioner Hill noted his concerns with the cost with Zito being heavily subsidized by the federal government to put fiber on top of their fiber at a higher per month cost to the County while Humboldt Telephone is essentially a public utility company that has provided fiber to our outlying rural areas. Manager De Tullio responded. Commissioner Hill stated that he would like to hear from Humboldt Telephone and asked that an item be placed on the agenda. Commissioner Hill offered the following motion:

*To table until we hear from Humboldt Telephone and get all the facts.*

Commissioner Evatz asked for more detailed information as to what we absolutely need as opposed to a kind of smorgasbord of items. Commissioner Cerri asked if Humboldt Telephone can cover the locations in Winnemucca or only the rural areas. Mr. DeTullio responded explaining that AT&T covers Winnemucca, that there is a line somewhere on US95. Discussion ensued regarding whether these projects can be separated, if Humboldt Telephone is offering the same service as what is being proposed, what the proposal consists of and the funding available in ARPA for this project. Commissioner Hill asked legal about the language of a motion. Deputy District Attorney Macdonald responded. Commissioner Hill withdrew his previous motion. The following motion was made by

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Commissioner Cerri and passed with Chairman Tipton and Commissioners Hill, Cerri and Evatz voting aye and Commissioner Hoss voting nay:

*To approve the build out of broadband infrastructure to the locations highlighted in green – Courthouse – 50 West Fifth Street, Dispatch – 795 Fairgrounds Road, Sports Complex – 1351 West Sixth Street and Public Works – 3340 Bengochea Circle and called number one priority in the information provided.*

PLANNING:

SET TO PUBLIC HEARING: Consideration, discussion and possible approval to Set to Public Hearing for a future date to be determined by the County Clerk for the following:

RH-23-25 Zone change request submitted by Regional Planning Commission on behalf of Jake Maga to change the C (Commercial) zoning designation to M-1 (Industrial) zoning designation on property located at 4825 W Winnemucca Blvd/W Winnemucca Blvd (APN 13-0042-35, 36, 37). Chairman Tipton read the title of the item to be set to public hearing. The following motion was made by Commissioner Cerri and passed unanimously:

*To set to public hearing at a date to be determined by the County Clerk, RH-23-25 as read into the record by the Chair.*

RH-23-26 Zone change request submitted by Regional Planning Commission on behalf of Randy Maga to change the C (Commercial) zoning designation to M-1 (Industrial) zoning designation on property located at 4405 W Winnemucca Blvd/4395 W Winnemucca Blvd (APN 13-0042-33, 34). Chairman Tipton read the title of the item to be set to public hearing. The following motion was made by Commissioner Cerri and passed unanimously:

*To set to public hearing at a time to be determined by the County Clerk, RH-23-26 as read into the record by the Chair.*

RH-23-27 Zone change request submitted by Regional Planning Commission on behalf of Jake Maga to change the C (Commercial) zoning designation to M-1 (Industrial) zoning designation on property located at 4725 W Winnemucca Blvd (APN 13-0052-18). Chairman Tipton read the title of the item to be set to public hearing. The following motion was made by Commissioner Cerri and passed unanimously:

*To set to public hearing at a time to be determined by the County Clerk RH-23-27 as read into the record by the Chair.*

RH-23-28 Zone change request submitted by Regional Planning Commission on behalf of Randy Maga to change the C (Commercial) zoning designation to M-1 (Industrial) zoning designation on property located off W Winnemucca Blvd/W Winnemucca Blvd (APN 13-0052-19, 20, 21). Chairman Tipton read

the title of the item to be set to public hearing. The following motion was made by Commissioner Cerri and passed unanimously:

*To set to public hearing at a future date to be determined by the County Clerk RH-23-28 as read into the record by the Chair.*

RH-23-29 A rezone application submitted by Regional Planning Commission on behalf of Joe McCoy to change the C (Commercial) zoning designation to RR -2.5 (Rural Ranchette) zoning designation on property located at 5640 W Rose Creek Road; assessor's parcel #13-0092-26. Chairman Tipton read the title of the item to be set to public hearing. The following motion was made by Commissioner Cerri and passed unanimously:

*To set to public hearing at a future date to be determined by the County Clerk RH-23-29 as read into the record by the Chair.*

RH-23-30 A rezone application submitted by Regional Planning Commission on behalf of Brett & Kristina McCoy to change the C (Commercial) zoning designation to RR-2.5 (Rural Ranchette) zoning designation on property located at 5660 W Rose Creek Road; assessor's parcel #13-0092-25. Chairman Tipton read the title of the item to be set to public hearing. The following motion was made by Commissioner Cerri and passed unanimously:

*To set to public hearing for a future date to be determined by the County Clerk, RH-23-30 as read into the record by the Chair.*

RH-23-31 A rezone application submitted by Regional Planning Commission on behalf of Ronald E Schrempp & Ronald J Schrempp to change the C (Commercial) zoning designation to GC (General Commercial) zoning designation on property located at 4850, 4830, 4760, 4720 W Winnemucca Blvd; assessor's parcel #13-0053-34, 35, 36, 37. Chairman Tipton read the title of the item to be set to public hearing. The following motion was made by Commissioner Cerri and passed unanimously:

*To set to public hearing for a future date to be determined by the County Clerk, RH-23-31 as read into the record by the Chair.*

RH-23-32 A rezone application submitted by Regional Planning Commission on behalf of Katie Nuffer, Guy Tipton, and Karla Tipton to change the C (Commercial) zoning designation to AG (General Agricultural District 40 Acre Minimum Lot Size) zoning designation on property located N of I-80 and W of the Pilot truck stop; assessor's parcel #13-0081-05. Chairman Tipton read the title of the item to be set to public hearing. The following motion was made by Commissioner Cerri:

*To set to public hearing for a future date to be determined by the County Clerk, RH-23-32 as read into the record by the Chair.*

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Chairman Tipton asked he would need to abstain from action on this item as the property owners are relatives. Deputy District Attorney Macdonald stated no, not for the purpose of the set to. Chairman Tipton called Commissioner Cerri's motion to a vote, and it passed unanimously.

RH-23-33 A rezone application submitted by Regional Planning Commission on behalf of Ronald G Hilbish & Bonnie Hilbish, Trustees of the Ronald G Hilbish & Bonnie Hilbish Family Trust to change the C (Commercial) zoning designation to CH (Highway Commercial District) zoning designation on property located off of W Winnemucca Blvd; assessor's parcel #10-0092-01 and 10-0081-02. Chairman Tipton read the title of the item to be set to public hearing. The following motion was made by Commissioner Cerri and passed unanimously:

*To set to public hearing for a future date to be determined by the County Clerk, RH-23-33 as read into the record by the Chair.*

Chairman Tipton recessed the meeting at 12:36 p.m. and reconvening at 12:40 p.m.

PUBLIC WORKS DEPARTMENT: Public Works Director Don Kalkoske appeared before the Commission.

LANDFILL TRANSFER SITE PLANS: Consideration, discussion and possible approval of plans from DOWL Engineering to improve transfer sites to make the sites more accessible to the public and improve trash collection. A cost estimate will be included in the next budget cycle and to facilitate construction in 2024-2025 fiscal year. However, the estimated fiscal impact for this budget cycle for the preparation of construction plans will be \$25,000.00. Included on the on-line agenda for review was a copy of the proposed Scope of Work provided by Dowl LLC for the transfer station design. Director Kalkoske reviewed the request for the Commission. Discussion ensued regarding the cost, the need for engineering, if other quotes have been obtained and the impact/concern of one quote being received and other potential bidders being aware of that quote. Commissioner Evatz asked if it could be captured in a request for proposal of at least three bids. Director Kalkoske responded with Comptroller Rackley confirmed that two quotes are the minimum per NRS for an item of this cost. After discussion the following motion was made by Commissioner Evatz:

*To pursue obtaining engineering construction designs based on an update of the 1997 Pershing County go by and get bids from three contractors including a possible revised bid from DOWL.*

Deputy District Attorney asked if the motion included bringing the matter back for Board decision. Commissioner Evatz offered the following amended motion which passed unanimously:

*To pursue obtaining engineering construction designs based on an update of the 1997 Pershing County go by and get bids from three contractors including a possible, revised bid from DOWL and to select the one that comes in at the lowest cost not to exceed \$25,000.00.*

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GENERAL ROAD PROJECTS: A presentation by Humboldt County Public Works Director Don Kalkoske to update the Board on Road projects within Humboldt County, 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. Director Kalkoske reported on mowing, weed spraying, how locations are identified for weed spraying and the need to contact the Public Works Department with concerns, public versus commercial spraying, cattle guard installation on the Sheldon, rocking on Eden Valley Road, flood mitigation on some roads, grading in various areas of the County, road watering as drivers become available and the status of the Lambert Project. Commissioner Cerri asked about obtaining contact with the Forest Service related to Hinky Summit Road. Director Kalkoske responded relating concerns on maintaining the road and with the MOU, noting that he has not heard back from the Forest Service since voicing said concerns. Commissioner Cerri asked about Greeley Road. Director Kalkoske responded that he has not heard from the BLM though he knows they have a new operator. Commissioner Hill asked about the status for emergency access for Lambert. Director Kalkoske responded that he has not had time to fully look into it but the only option he sees at this point would be for the County to purchase some property to create an easement to connect to somewhere else. Commissioner Hill stated that, where he was going, is to provide feedback as to whether this is something that is valid and needed so we continue with conversation but, if it is not or if we are providing something special to somebody, that everybody else doesn't have, then it may be a moot point; but he does believe that feedback is owed to the commentors. Commissioner Evatz noted that where he lives does not have a secondary escape and he wouldn't expect the county to provide that for him as he does not believe that is in the purview of the county so he would be cautious about opening up that potential responsibility. Commissioner Evatz continued suggesting that feedback to the folks is definitely appropriate on the drainage control repair and the plan to have the project done by Labor Day. Manager Mendiola noted that he has spoken to the Lyons related to the Lambert bridge and the emergency exit and while they are not happy with the answers, he has responded to them. Commissioner Cerri agreed that the issue could get out of hand and suggested that a policy be drafted as to emergency access and that it is the developer's responsibility. Discussion ensued regarding the Department's intention to do the Lambert project internally but that the issue will be brought back to the Commission if something comes up and a contractor is needed with the cost exceeding \$5,000.00 per the procurement policy. Discussion ensued regarding the status of road as mag had not been applied to it and the mag situation overall. Commissioner Evatz offered, for the record, that mag was placed on his road a few weeks ago and it is in great shape and he appreciates it and that he does not expect to get some kind of brochure of a buffet

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style selection that he can call in and place his order, so he hopes that we are not doing that for the folks in Lambert.

SHERIFF: Under Sheriff Damon Kuskie appeared before the Commission

LIQUOR BOARD: Under Sheriff Kuskie convened the meeting of the Humboldt County Liquor Board at 1:11 p.m. Under Sheriff Kuskie reviewed the following requests for the Board with recommendations for approval - A special liquor license on behalf of Natalie Betschart on behalf of the Northern Nevada Racing Association for the July Good Times Race on June 16-17. PLEASE NOTE: Sheriff Cardenas had approved this license for this event as it was brought to us too late to get on the previous agenda. This person has been approved for events in the past; a special liquor license on behalf of Natalie Betschart on behalf of the Northern Nevada Racing Association for the July Good Times Race on July 21 & 22; a special liquor license on behalf of Natalie Betschart on behalf of the Northern Nevada Racing Association for the August Beat the Heat Race on August 18 & 19; and a special liquor license on behalf of Natalie Betschart on behalf of the Northern Nevada Racing Association for the Memorial Race on September 8 & 9. The following motion was made by Commissioner Cerri, was seconded and passed unanimously:

*To approve the special liquor licenses on behalf of the Natalie Betschart on behalf of the Northern Nevada Racing Association for June 16<sup>th</sup>, June 17<sup>th</sup>, July 21<sup>st</sup>, July 22<sup>nd</sup>, August 18<sup>th</sup>, August 19<sup>th</sup>, September 8<sup>th</sup> and September 9<sup>th</sup>.*

Under Sheriff Kuskie adjourned the meeting of the Humboldt County Liquor Board at 1:12 p.m.

APPROVAL OF A NEW DOWL AGREEMENT TO COMPLETE A REVISION OF THE GRASS VALLEY PRELIMINARY ENGINEERING REPORT TO ASSESS THE VIABILITY OF CONNECTING TO THE CITY OF WINNEMUCCA WASTE WATER TREATMENT FACILITY: Consideration, discussion and possible approval of an agreement with DOWL Engineering, formerly Farr West Engineering, to provide professional engineering services for a revision of the original Grass Valley nitrate preliminary engineering report (PER), in an amount not to exceed \$45,145, pending the District Attorney's Office review. All of the costs associated with this agreement will come from federal ARPA funds. Included on the on-line agenda for review was a copy of the proposed Master Task Order Agreement for Professional Services from DOWL LLC. Brent Farr with DOWL LLC appeared before the Commission and reviewed the request for the Commission. Chairman Tipton offered comment on his discussion with the City Manager related to this proposal noting that this is contingent on the railroad allowing for the expansion of the line that goes under the tracks. Discussion ensued. Commissioner Hill noted concerns with the City Council agreeing and the railroad access and questioned spending money on a study before confirming commitment from the City. Commissioner Hoss concurred and commented that the need is only for one facility; he

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questioned how much volume this proposal will provide for future growth. Discussion ensued regarding the proposal. The following motion was made by Commissioner Hill:

*To approve an agreement with DOWL Engineering, formerly Farr West Engineering, to provide professional engineering services for a revision of the original Grass Valley nitrate preliminary engineering report (PER) in an amount not to exceed \$45,145.00 pending the District Attorney's Office review; all of the costs associated with this agreement will come from federal ARPA funds.*

Commissioner Evatz requested that Commissioner Hill amend his motion to direct County Manager Mendiola to engage with the City Manager to put this issue before the Council to determine if they are amenable to County proceeding with this. Commissioner Hill offered the following amended motion which passed unanimously:

*To approve an agreement with DOWL Engineering, formerly Farr West Engineering, to provide professional engineering services for a revision of the original Grass Valley nitrate preliminary engineering report (PER) in an amount not to exceed \$45,145.00 pending the District Attorney's Office review; all of the costs associated with this agreement will come from federal ARPA funds and to direct the County Manager to prepare a letter of some sort directed to the City Council to determine if they are willing to consider this data and entertain this proposal.*

Chairman Tipton stated that the Commission would return to item 13 on the agenda.

#### BUILDING AND SAFETY:

REQUEST TO TERMINATE THE LEASE ON THE GMC CANYON: Consideration, discussion and possible approval to terminate the lease on the GMC Canyon. Manager Mendiola reviewed the request for the Commission. The following motion was made by Commissioner Hill and passed unanimously:

*To approve the termination of the lease of the GMC Canyon.*

APPROVAL FOR AN AGREEMENT FOR PLAN REVIEW SERVICES: Consideration, discussion and possible approval to contract with KT Plan Review PLLC to provide plan reviews in an amount not exceeding \$100,000 over a three-year period (July 19, 2023 through July 18, 2026), pending approval from the District Attorney's Office. DOWL, who are our current back-up for plan reviews, will discontinue this service at the end of the month. Included on the on-line agenda for review was a copy of the proposed Consulting Agreement from KT Plan Review, PLLC. Manger Mendiola reviewed the request for the Commission. Commissioner Hill asked how this is budgeted for. Manager Mendiola explained how the payment is handled based on the revenues received. Commissioner Cerri asked about the status of hiring a Building Director. Manager Mendiola responded noting how the duties are being covered in the

department at this time. The following motion was made by Commissioner Evatz and passed unanimously:

*To approve the contract with KT Plan Review PLLC to provide plan reviews in an amount not to exceed \$100,000.00 over a three-year period, that being July 19, 2023 through July 18, 2026, pending approval from the District Attorney's Office.*

COUNTY MANAGER:

DISCUSSION REGARDING THE RECRUITMENT FOR COUNTY MANAGER DAVE MENDIOLA'S REPLACEMENT IN MARCH 2024: Consideration, discussion and possible action to establish a process and timeframe for the recruitment of a replacement for County Manager Dave Mendiola's retirement in late March 2024. Manager Mendiola stated he would have more information at the July 24<sup>th</sup> meeting. Commissioner Hill asked about the status of the Assistant County Manager/Human Resources Director position. Manager Mendiola responded that his understanding was that the positions would be separated, and the Assistant County Manager position will not be filled, and a job description is being prepared for the Human Resources Director position; he noted his involvement in the department at this point due to the lack of a director. Commissioner Evatz noted that the decision on the Assistant County Manager position was to wait until the new Manager was in place to allow that person to be involved in any hiring that occurs. Discussion ensued regarding the use of a company or a committee for the hiring of the manager position.

MISCELLANEOUS REPORTS AND CORRESPONDENCE:

Other information and upcoming meetings: Chairman Tipton noted the following upcoming meetings - July 11, 2023 Winnemucca City Council Meeting, July 13, 2023 Regional Planning Committee Meeting, July 24, 2023 Humboldt County Board of Commissioners Meeting and July 25, 2023 Humboldt General Hospital Board Meeting.

Reports from Commissioners regarding other Boards and Committees on which they serve: Commissioner Cerri reported on a Humboldt Foundation meeting and calls with Andy Rieber as to projects she is working on. Commissioner Evatz offered no report. Commissioner Hoss reported on a Central Nevada Regional Water Authority meeting. Commissioner Hill noted his attendance at a Humboldt Development Authority meeting; he asked about receiving the comments from the employee surveys noting that he would like to know if we have a plan to take action/follow-up on the comments. Manager Mendiola responded indicating that he will provide the comments and what the plans are for the follow-up; he provided an update on the status of the class/comp study. Chairman Tipton reported

on a hospital board meeting, meetings with Andy Rieber, a Natural Resource subcommittee meeting and a NACO meeting.

FUTURE AGENDA ITEMS: Whether an item will be placed on a future agenda will be subject to the chairman and/or legal counsel's determination. Manager Mendiola identified an item for the Water Master update with discussion and an item with Humboldt Telephone; he stated that he never denied access to appear on the agenda by Humboldt Telephone. Discussion ensued regarding the issue with Manager Mendiola noting that he would want the State to be involved in that discussion as they have the information on the bid process. Discussion ensued regarding the issue of the buildout. Manager Mendiola continued stating that the landfill transfer station issue will come back after we get some quotes. Discussion ensued regarding the equipment issue for Building and Grounds and a piece of high-reach equipment. Chairman Tipton asked that discussion occur regarding the Human Resources position and discussion with the City about the wastewater treatment plan. Commissioner Evatz asked about a meeting with the BLM leadership and the status of discussion with the NDOT Director. Manager Mendiola stated that the NDOT Director will be in the community on July 23<sup>rd</sup> and will attend the July 24<sup>th</sup> meeting. Commissioner Cerri commented on signage. Discussion ensued.

PUBLIC COMMENT: Chairman Tipton asked for public comment. Commissioner Evatz offered congratulations to Eddie Booth on his reappointment to the Nevada Board of Wildlife Commissioners; he noted an upcoming mule deer summit occurring here in Winnemucca and an upcoming fundraiser for the Boys and Girls Club. Discussion ensued regarding the fiscal impact of the upcoming solar eclipse on the community.

ADJOURNMENT: Chairman Tipton adjourned the meeting at 1:55 p.m.

ATTEST: \_\_\_\_\_ APPROVED: \_\_\_\_\_  
Clerk Chairman

*(Minutes approved by the Commission and signed by the Chairman on \_\_\_\_\_)*



**Humboldt County Board of Commissioners**  
**March 18 2024 at 8:31 a.m.**  
**Meeting Minutes**

Those present were Chairman Jesse Hill, Commissioners Tom Hoss, Ron Cerri, Ken Tipton and Mark Evatz, Chief Deputy District Attorney Wendy Maddox (via Teams), County Manager Don Kalkoske and Clerk of the Board Tami Rae Spero (via Teams).

CALL TO ORDER: Chairman Hill called the regular meeting to order at the regular place of meeting the Humboldt County Meeting Room, Courthouse, #201, Winnemucca, Nevada.

PLEDGE OF ALLEGIANCE: All present recited the Pledge of Allegiance.

PUBLIC COMMENT: Chairman Hill asked for public comments. Rhonda Link appeared before the Commission and offered public comment and introduced herself as she is one of the applicants for the Planning Commission appointment.

Christina Kenison appeared before the Commission and offered public comment asking that the Commission put on an agenda, for discussion and action, the ability to petition the Attorney General's Office for a legal opinion on the validity of the City of Winnemucca, acting as a sole sponsor for the Winnemucca/Humboldt Municipal Airport, even though the County is the co-owner according to the airport agreement.

Commissioner Hoss offered public comments regarding an email that he had received from Lithium America on March 14, 2024 informing him that they have received conditional approval for a DOE loan; he stated that he received it because he critical of the project and they wanted to meet with him privately; he continued stating that he has stood up for Humboldt County so an informed decision for the County can be made and not to let a foreign corporation from Canada or anywhere else, come into the County and tell us what they are going to do to the citizens of our county; he stated that he took offense to the word critical as he has not been critical, he has been asking questions so we can get the truth as to what is going on and make an informed decision.

No further public comment was offered.

COMPTROLLER: Comptroller Gina Rackley and Andree Rose and Tara Larson with Drake, Rose and Associates appeared before the Commission.

REQUEST TO DESIGNATE DRAKE, ROSE & ASSOCIATES AS THE AUDITOR FOR HUMBOLDT COUNTY: Consideration, discussion and possible approval to designate Drake, Rose & Associates as the auditor for Humboldt County for the 2024 Fiscal Year. Comptroller Rackley reviewed the request for the Commission. The Commission noted their support and thanks for Drake, Rose & Associates. The following motion was made by Commissioner Cerri and passed unanimously:

*To designate Drake, Rose and Associates as the auditor for Humboldt County for the 2024 Fiscal Year and accept the audit agreement as presented.*

CLOSED SESSION FOR LITIGATION CONSIDERATION: Closed session pursuant to NRS 241.015(3)(b)(2), to receive information from Rew Goodenow with the law firm Parsons, Behle, & Latimer regarding potential or existing Second Amendment litigation in Case No. 19 OC 00213 1B pending in the First Judicial District of Carson City, Nevada. Chairman Hill stated that the Commission would be convening in the County Manager's Office in closed session. The following motion was made by Commissioner Tipton and passed unanimously:

*To go into closed session at this time.*

The Commission entered closed session at 8:40 a.m.

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

*That the Commission comes out of the closed session and continue with our County Commission meeting for item number six.*

The Commission entered open session at 9:05 a.m.

APPROVAL OF MINUTES: Discussion and action on correction/approval of minutes for discussion and action on correction/approval of minutes for March 27, 2023, May 1, 2023, August 7, 2023, August 21, 2023, September 5, 2023, October 2, 2023, January 2, 2024, February 5, 2024, and March 4, 2024. Based on a question from the Chairman, Chief Deputy District Attorney Maddox stated a single motion can be done for all submitted minutes. Chairman Hill asked for corrections for the minutes; none offered. Commissioner Cerri stated that he would be abstaining from approval on the September 5, 2023 minutes as he had not been in attendance. The following motion was made by Commissioner Tipton and passed unanimously with the exception of the minutes for September 5, 2023 for which Commissioner Cerri abstained:

*To approve the minutes as posted on the agenda for today.*

APPROVAL OF EXPENDITURES FOR HUMBOLDT COUNTY FOR MARCH 4, 2024 THROUGH MARCH 18, 2024: The following motion was made by Commissioner Evatz and passed unanimously:

*To approve the expenditures for Humboldt County for the period of March 4 through March 18, 2024 as circulated.*

COMPTROLLER: Comptroller Gina Rackley appeared before the Commission.

REQUEST TO CO-SPONSOR THE COUNTY FISCAL OFFICERS ASSOCIATION CONFERENCE: Consideration, discussion and possible approval to co-sponsor the County Fiscal Officers Association Conference September 17-19, 2024, with a donation in an amount not to exceed \$10,000. Recorder Tia Lange and

Comptroller Rackley appeared before the Commission with Comptroller Rackley reviewing the request for the Commission. Commissioner Tipton asked if the WCVA will be approached as well. Comptroller Rackley confirmed that would be occurring. Commissioners Cerri and Hoss stated their support for this event. The following motion was made by Commissioner Tipton and passed unanimously:

*To give a donation not to exceed \$10,000.00 for the County Fiscal Officers Association for their conference being held here September 17 through 19, 2024.*

Discussion ensued regarding the Chairman or another Commissioner addressing the group and participating in other events being held.

FINANCIAL REPORT: Humboldt County Comptroller Gina Rackley will provide an overview of current conditions with respect to Humboldt County revenues and expenditures for fiscal year 2024 (July 1, 2023 through June 30, 2024), including an update on the American Rescue Plan Act (ARPA) and other funding available to the County. Comptroller Rackley offered no update due to the length of the agenda and budget hearings being scheduled for next week.

SENIOR CITIZENS CENTER AND COMPTROLLER:

REQUEST TO APPROVE CERTIFICATIONS AND ASSURANCES FOR THE FEDERAL TRANSIT ADMINISTRATION GRANT: Consideration, discussion and possible approval of the Certifications and Assurances that is required for the Federal Transit Grant that Humboldt County serves as the pass-through agency to the Senior Center as the subrecipient, and to authorize the County Manager to sign the Affirmation of Applicant. Senior Citizens' Director Brandie Pettis appeared before the Commission and reviewed the request for the Commission. Chief Deputy District Attorney Maddox stated that the District Attorney's Office will review any legal documents requiring the signature of the County. Comptroller Rackley commented on the funds received over the years to assist our senior citizens and their transportation needs, that this is a very successful grant and her enjoyment working with Director Pettis. Chairman Hill asked if this was just a pass-through grant. Comptroller Rackley confirmed it was. Discussion ensued regarding the availability of drivers. The following motion was made by Commissioner Tipton and passed unanimously:

*To approve the certifications and assurances for the Federal Transit Administration for the fiscal year 2024 and authorizing County Manager Don Kalkoske to sign the affirmation of applicant following the District Attorney's review.*

Commissioner Hoss thanked Director Pettis for her work at the center and commented that the center is one of the best on the west coast. The Commission concurred.

APPOINTMENT OF MEMBER TO REGIONAL PLANNING COMMISSION: Consideration, discussion and

possible approval to appoint a candidate to the Regional Planning Commission to fill a vacancy and to serve the remainder of a 4-year term set to expire June 30, 2025. Included on the on-line agenda were requests for appointment from Rhonda S. Link and Janet Jacaway. Ms. Link and Ms. Jacaway appeared before the Commission. Applicant Link spoke in support of her appointment. Applicant Jacaway spoke in support of her appointment. A question-and-answer period occurred with the candidates. Chairman Hill encouraged whoever isn't selected, to apply again in the future as both are qualified candidates. The following motion was made by Commissioner Hoss and passed unanimously:

*To appoint Janet Jacaway to the Regional Planning Commission to fill a vacancy and serve the remainder of a four-year term set to expire June 30, 2025.*

Commissioner Evatz encouraged Ms. Link to participate during the public comment periods at the RPC hearings as he feels her input would be valuable.

Ms. Link commented on the benefit of the local hospital to the community.

Chairman Hill stated that the Commission would proceed to item 14 on the agenda as the next items are time specific.

10:00 A.M. PUBLIC HEARING: Deputy District Attorney Anthony Gordon and Human Services Director Denni Byrd appeared before the Commission.

FOR AN ORDINANCE TO MOVE DUTIES OF PUBLIC ADMINISTRATOR/PUBLIC GUARDIAN TO THE HUMAN SERVICES DEPARTMENT: Consideration, discussion and possible approval for an Ordinance to amend Chapter 2.4 of the Humboldt County Code to add provisions related to the public administrator, to abolish the office of ex officio public administrator held by the district attorney, to designate and employ the human services director as the public guardian and public administrator for Humboldt County, to specify additional qualifications of the human services director, to require the director to take an official oath and to post a bond with the county, to address the compensation of the director, to specify the duties of public guardian and public administrator, to provide how the director shall receive legal assistance in public guardianship and public administrator cases, to authorize the director to contract with professionals and consultants necessary for the performance and discharge of the duties as public guardian and public administrator, to grant the director discretion to accept or deny the appointment as public guardian in certain situations, and to address other matters properly related thereto. Included on the on-line agenda for review was a copy of the Notice of Continued Public Hearing and a copy of the proposed Ordinance. Chairman Hill read the title of the item set to public hearing. Chief Deputy District Attorney Maddox explained that since the last Commissioner meeting, they have met with Director Byrd and her questions have been answered, that discussion has occurred and will continue about the

pending cases and that the District Attorney will continue to act as the legal counsel. Director Byrd confirmed that the conversation as noted had occurred and that the bond will be carried under the Pool/Pact coverage. Deputy District Attorney Gordon commented on the District Attorney's involvement. Commissioner Cerri asked if this would impact staffing. Director Byrd responded that she did not believe so and explained. Chairman Hill asked for public comment; none offered. The following motion was made by Commissioner Evatz and passed unanimously:

*To approve an ordinance to move the duties of the public administrator/public guardian to the Human Services Department as detailed and read into the record by the Chairman.*

*(Ordinance No. 03-18-24)*

PLANNING: Senior Planning Technician Betty Lawrence, Deputy District Attorney Anthony Gordon and Appellant Mark Marcum appeared before the Commission.

10:00 A.M. PUBLIC HEARING:

AN APPEAL FILED BY MARK MARCUM REGARDING UH-23-17: Consideration, discussion and possible action regarding the vote, decision and findings of the Humboldt Regional Planning Commission at their January 11, 2024, meeting regarding the denial of a Conditional Use Permit Application, UH-23-17, submitted by Dennis O'Keefe on behalf of Golden Gate Petroleum to allow the development of a fueling facility to include gas, diesel and a convenience store. Subject Property is located off U.S. 95, McDermitt, NV; Assessor's Parcel Numbers 03-0441-09,03-06272-05. Included on the on-line agenda was a copy of the Notice of Public Hearing, a copy of appellant Marcum's appeal, copies of the paperwork submitted to the Regional Planning Commission (RPC) including staff report, application, written comments and maps, a copy of the RPC minutes (unapproved) from the January 11, 2024 meeting and a response from J. Christopher Molina, Esq. of McDonald Carano, LLP on behalf of Golden Gate Petroleum. Chairman Hill called the public hearing to order at 10:40 a.m. and read the title of the item set to public hearing. Mrs. Lawrence stated that public comments had been received via email and legal counsel has directed that said comment be read into the record (see attached). Mrs. Lawrence read email comments received from Dale Hartley into the record. Appellant Marcum provided photos to the Commission for review stating that he does not object to project other than the use of his driveway and the impact on the infrastructure including the sewer, the traffic increase and the use of additional property without paying for it; he stated that he does not object for the north driveway as long as they don't block his easement right-of-way and explained. Deputy District Attorney Gordon noted that the only issue to be dealt with is the appeal and explained what was contained in the appeal. J. Christopher Molina with McDonald, Carano LLP appeared before the Commission (via Teams) on behalf of Golden Gate Petroleum and

responded to the appeal, displaying maps related to the roadway and right-of-way for the Commission's review noting that, while there is a notation on the subsequent parcel map as to a private road right-of-way, said notation has no legal effect explaining that, because the person that recorded the map has no authority to limit the right way that was created originally, as under Nevada law this is considered public and even if this was a private easement, Golden Gate as owner of the adjacent parcels would have the right to use the right-of-way for access including providing access to their patrons ; he responded to Mr. Marcum's first argument as to the five-year claim that access can be terminated though the argument is not entirely clear but if this is an adverse possession claim, there is documentation in the record before the RPC that demonstrates that Mr. Marcum has not paid taxes on the roadway parcel which means that he would not be able to establish adverse possession, the second argument is that the heirs of the original property owners are opposed but he explained why they ultimately don't have a right to object; he stated that he would only be addressing the merits of the legal claims made noting that there is some sort of litigation going on between Mr. Marcum and the seller of the property which he won't go into. Commissioner Evatz questioned the notation on the map. Mr. Molina responded explaining that the original map did not have the notation so basically the subsequent map could not limit what the earlier map granted; he explained that even if you assumed it was correct, that it would be for the benefit of the abutting/adjacent property owners which will soon be Golden Gate Petroleum. Commissioner Cerri noted his understanding of the appellant's concern and asked if the RPC could impose an additional requirement for a fence barrier or something. Mrs. Lawrence stated that she is not sure. Deputy District Attorney Gordon stated that, if Golden Gate wanted to accommodate, they could, but he does not believe that there is anything legal that can be required. Mr. Marcum noted concerns with a fence and snow accumulation and voiced concerns related to light pollution. Ilyssa Fogel appeared before the Commission via Teams and offered comment that the RPC has no authority over the issues Mr. Marcum raises and, that his claim of ownership to the drive way should have been dealt with in a court action; she noted the zoning for the area, that there is no other residential development in the area, that the issues regarding easements and sewer were addressed at the RPC meeting and commented on the fact that this is the ideal spot for this type of development for it to be economically feasible; she asked that the Board of Commissioners, based on lack of jurisdiction and the issues she has raised, deny the appeal. Commissioner Hoss offered that this is not in the Commission's hands to decide, if it is a private driveway or not, it appears that Planning has done everything they can possibility do; that this is a legal matter; he voiced concerns about the truck traffic and the need to pave but stated that is not up to the Commission to decide. Chairman Hill commented that while he understood Mr. Marcum's concerns, the

job of the Commission is to listen to an appeal and find legal merit in the appeal to overturn a decision by another board; he stated that he does not see a legal merit to overturn the decision of the RPC. Commissioner Evatz commented on his understanding that the roadway is public but suggested that, Mr. Molina as a representative for Golden Gate Petroleum, engage with Mr. Marcum to ensure that they have a good neighbor relationship going forward and, if there are things that can be done going forward to minimize the negative impacts, that they work to mitigate those impacts. Chairman Hill concurred and offered suggestions on what could be done. Chairman Hill asked for public comment. Tom Corday, the real estate agent for Golden Gate appeared before the Commission and offered public comment regarding his conversation with Mr. Marcum including the offer of fencing to block the lights and that he expressed that they would like to have a good neighbor policy; he noted that Mr. Marcum had purchased the property many years ago and was aware of the zoning and what is allowed with that zoning. No further public comment was offered. Chief Deputy District Attorney Maddox offered directions as to the action the Commission may take per HCC 17.68.090. Discussion ensued regarding the right-of-way and the lack of taxes paid by any party on this right-of-way. Commissioner Cerri asked Deputy District Attorney Gordon, if the Commission has any legal basis for this Commission to deny. Deputy District Attorney Gordon responded stating that he does not see any legal basis for the Commission to deny the RPC's decision. Chief Deputy District Attorney Maddox stated that the Commission would have to decide whether they want to confirm, reverse or modify this decision per the Code. Commissioner Hoss stated that he does believe that the Planning Commission has done anything to cause reversal of this but voiced concerns about the truck stop using a dirt road as access. Commissioner Evatz asked about maintenance and road improvement. Mrs. Lawrence responded. Commissioner Tipton offered comment stating that he has reviewed everything presented and his problem is with the zoning being M-3, which it has been for a long time and if you purchase property next to property zoned that way, why wouldn't you expect something like this to happen in the future; he stated that he does not believe that the Commission can deny what the Planning Commission had done. With direction as to language from legal counsel the following motion was made by Commissioner Evatz and passed unanimously:

*To deny the appeal as filed by Mark Marcum regarding UH-23-17 per the information presented on the agenda and in the associated packet; that the Commission supports the findings from and presented by the Humboldt Regional Planning Commission at their January 11, 2024 meeting regarding the denial of the conditional use permit application UH-23-17.*

10:00 A.M. PUBLIC HEARING:

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REZONE APPLICATIONS FOR MARLEY AND CLEMENT: Consideration, discussion and possible approval for the following:

RZ-24-01 - Zone change request submitted by Regional Planning Commission on behalf of Kevin and Tahnee Marley to change the C (Commercial) zoning designation to GC (General Commercial) zoning designation on property located at 4650 W Winnemucca Boulevard (APN 13-0053-38). Included on the on-line agenda for review was a copy of the Notice of Public Hearing and a copy of the proposed ordinance. Chairman called the public hearing to order at 11:06 a.m. and read the title of the item. Mrs. Lawrence indicated that this is another rezone be done to clean up the C, Commercial zoning. Chairman Hill asked for public comment; none offered.

RZ-24-02 - Zone change request submitted by Regional Planning Commission on behalf of Roland Clement to change the C (Commercial) zoning designation to RR-1.25 (Rural Ranchette 1.25-acre minimum lots size) zoning designation on property located at 5720 Bird Lane (APN 13-0055-07). Included on the on-line agenda for review was a copy of the Notice of Public Hearing and a copy of the proposed ordinance. Chairman Hill read the title of the item set to public hearing. Chairman Hill asked for public comment; none offered. The following motion was made by Commissioner Evatz and passed unanimously:

*To approve RZ-24-01 for the zone change from C - Commercial to GCC - General Commercial and for parcel RZ-24-02 from C - Commercial to RR - Rural Ranchette at the 1.25-acre minimum lot size.*

*(Ordinance Nos. 03-18-24a & 03-18-24b)*

Chairman Hill recessed the meeting at 11:11 a.m. reconvening at 11:16 a.m. and proceeding to item 16C.

SET TO PUBLIC HEARING: Consideration, discussion and possible approval to Set to Public Hearing for a future date to be determined by the County Clerk for the following:

A. RZ-24-04 A rezone application submitted by Regional Planning Commission on behalf of David and Sandra Schirrick to change the C (Commercial) zoning designation to GC (General Commercial) zoning designation on property located at 5705, 5725 and 5745 Rowan Way; assessor's parcel #'s 13-0043-33, 34 and 25. Chairman Hill read the title of the item to be set to public hearing. The following motion was made by Commissioner Evatz and passed unanimously:

*To set to public hearing for a future date to be determined by the County Clerk for the rezone application as read into the record by the Chairman.*

WINNEMUCCA DOMESTIC VIOLENCE SHELTER REQUEST TO PLACE PINWHEELS ON COURTHOUSE LAWN AND TO USE COURTHOUSE PARKING LOT FOR RELATED ACTIVITIES: Consideration, discussion and

possible approval of a request from Winnemucca Domestic Violence Shelter (WDVS) to utilize the lawn at the Courthouse to place Pinwheels and a banner for display throughout the month of April 2024 to bring awareness of child abuse to the community, and to utilize the parking lot across the street for booths to host children's activities, speakers, and a few food trucks on April 6, 2024. The event would start at 11:00 a.m. and end at 1:00 p.m. Pinwheels and the banner will be removed by April 28, 2024. The following motion was made by Commissioner Tipton and passed unanimously:

*To approve the request for WDVS to place the pinwheels on the courthouse lawn and to use the related parking lot for their activities.*

Chairman Hill recessed the meeting at 9:38 a.m. reconvening at 9:40 a.m.

#### ECONOMIC DEVELOPMENT:

MICHELLE HAMMOND ALLEN WILL PROVIDE AN OVERVIEW OF ECONOMIC DEVELOPMENT ACTIVITY: Economic Development Officer, Michelle Hammond Allen will provide a brief overview on the economic development activity in Humboldt County. Officer Hammond Allen reviewed a bullet list of ten items that she is involved in. Discussion ensued regarding her participation in solar projects proposed for the area as well as the Commission's need to be involved actively engaged and the status of the charging stations proposed by NDOT.

LITHIUM AMERICAS WILL PROVIDE AN UPDATE ON THACKER PASS LITHIUM PROJECT: Lithium Americas will present an update on the Thacker Pass Lithium Project, as well as the Winnemucca-based workforce hub. Tim Crowley appeared before the Commission and presented a power point presentation related to Lithium Americas including an overview, the March 14<sup>th</sup> DOE announcement related to a loan including the conditions involved, the project financing, the staffing and shifts, the workforce hub status, Thacker Pass – Quinn pipeline, Topsoil storage, First cut, State Route 293 improvements, Crowley Creek erosion prevention, Sawtooth equipment at site, the opening of the Winnemucca office, the status of the transloading facility, the Orovada improvements, the proposed design of the Orovada elementary school, continued involvement with the Fort McDermitt Paiute Shoshone Tribe and a summary of the project. Discussion ensued regarding the time frame for closure on the DOE loan, what will be addressed first once funds are received, the status of environmental studies done, what is pending for the loan closure, the status of the water rights and what is occurring with sites that irrigation is being removed from, the need to keep the range healthy and the plan to re-seed with native vegetation after alfalfa irrigation is no longer needed, that a memo will be provided to the Commission as to the water issues will be addressed with the details that are looked for, fire concerns due to build up of fuel if grazing is not allowed, that that is happening and that information will be provided on that as well,

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consideration of medication facilities in the Orovada area and what is planned, questions about the title of the company and that the agreements were made by Lithium Nevada and the need to make sure that whomever the company is honors those agreements of Lithium Nevada, how the company is structured and does the status of the Presidential administration impact this loan and that it does not.

Chairman Hill stated that the Commission would return to item 11 on the agenda, a public hearing, at 10:18 a.m.

HITECH MINERALS WILL PROVIDE AN UPDATE ON THE MCDERMITT LITHIUM PROJECT: HiTech Minerals will present an update on the McDermitt Lithium Project. Brett Marsh, Vice-President of Exploration and Development for HiTech Minerals appeared before the Commission via Teams and reviewed a Power Point presentation including the Key Highlights including the ownership of the company and the location of the site, Lithium investment thesis remains robust, a general project timeline, exploration plan of operations, and what is a community benefits plan and what is involved with it; he stated how they look forward to partnering with the community. Discussion ensued regarding questions from the Commission including the location of local offices, where the receipt of equipment will occur, the impact on the communities and the lack of inclusion with private land users and the Tribe and plans to include, where the taxes will be going as the Nevada will be getting the impact and the existence of a plan of operations for that impact.

REQUEST APPROVAL FOR A LETTER OF SUPPORT FOR HITECH MINERALS' APPLICATION: Consideration, discussion, and possible approval for a letter of support regarding HiTech Minerals Department of Energy funding application; indicating Humboldt County's willingness to engage as a cooperating agency, pending the District Attorney's review and approval. Mr. Marsh spoke in support of this request. Commissioner Hoss stated that signing anything seems premature and explained. Commissioner Evatz commented on the need for the County to stay in touch due to the impact especially from any negative impacts. Chairman Hill noted that this letter of support gets us a seat at the table and the very general letter of support which is what has been proposed will do that; he stated his support to put us in the game and gets our voices heard. Commissioner Cerri noted that the cooperating agency status is made by the federal government, and he would encourage that we do request to be afforded that status; he stated what had been discussed with the Vale BLM District. Chief Deputy District Attorney Maddox stated that the Office has reviewed the letter and noted amendments made to include the removal of the term cooperating agency as well as other provisions removed so as not to commit the county to anything at this time; she requested that any motion made indicate as amended. The following motion was made by Commissioner Evatz and passed with Chairman Hill and

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Commissioners Tipton and Evatz voting aye and Commissioners Hoss and Cerri voting nay:

*To approve a letter of support regarding HiTech Minerals Department of Energy funding application as reviewed and amended by the District Attorney's Office.*

Commissioner Hoss stated that he does not want his signature to appear on this letter. Chairman Hill so noted.

LIBRARY: Library Director Jessica Anderson appeared before the Commission.

REQUEST TO WAIVE ATTRITION POLICY: Consideration, discussion and possible approval for a request to waive the attrition policy to hire for the position of Library Assistant. Director Anderson spoke in support of the request. The following motion was made by Commissioner Evatz and passed unanimously:

*To approve the request to waive the attrition policy for the library assistant position.*

ASSESSOR: Assessor Andy Heiser appeared before the Commission.

REQUEST TO APPROVE NEW APPRAISER II POSITION: Consideration, discussion and possible approval for the new Appraiser II position. Assessor Heiser reviewed and spoke in support of the request. Commissioner Hoss noted his concerns with the budget impact of adding costs, so he is not interested in moving anything around until after the budget hearings. Assessor Heiser stated that he is okay with that but noted his concerns with the lack of the class and comp study being done before negotiations. Commissioner Evatz commented on the need for a fair compensation package to keep good people. Commissioner Tipton noted his concern that the Commission has not received information on the comp study as well. Assessor Heiser noted that what is occurring today as to the study, is just a portion and there are a lot of offices that need to be addressed that aren't included. Commissioner Cerri noted his concern with adding additional bodies but as that isn't the case he will support the request. Chairman Hill stated his understanding of Commissioner Hoss' concerns as we do have budgets coming up which will result in some tough decision but he also understands Commissioner Evatz's comments as people are our number one asset and there is a huge amount of competition for talented people; that he knows it does not make the Commission's job any easier come budget time but he thinks taking care of our people is one of our most important things that we need to do to provide good service to the county, so he supports the request. The following motion was made by Commissioner Cerri which passed with Chairman Hill and Commissioners Cerri, Tipton and Evatz voting aye and Commissioner Hoss voting nay:

*To approve the request for a new appraiser two position.*

APPROVAL FOR GSA NEW SUPPORT SERVICES FEES: Consideration, discussion and possible approval for a new annual support and maintenance fee agreement from GSA from July 1, 2024 through June 30, 2025 in an amount not to exceed \$141,086.00. Assessor Heiser reviewed the request for the

Commission. Commissioner Hoss questioned this coming forward before budgets. Assessor Heiser clarified that this goes into effect on July 1, 2024. The following motion was made by Commissioner Evatz and passed unanimously:

*To approve a new annual support and maintenance agreement with GSA for the period of July 1, 2024 through June 30, 2025 in an amount not to exceed \$141,086.00.*

TREASURER: Treasurer Rhona Lecumberry appeared before the Commission.

REQUEST TO RENEW BANKING AGREEMENT WITH WELLS FARGO: Consideration, discussion and possible approval to renew the County's banking agreement with Wells Fargo which is set to expire March 31, 2024. The renewal agreement extends the contract for an additional 3 years for banking services. Included on the on-line agenda for review was a copy of the proposed banking services contract. Treasurer Lecumberry reviewed the request for the Commission. The following motion was made by Commissioner Tipton and passed unanimously:

*To approve the renewal of the County's banking agreement with Wells Fargo to commence April 1, 2024 and ending March 31, 2027 and to authorize the County Manager to sign.*

HUMAN RESOURCES: Human Resources Director Kellie Kranovich appeared before the Commission.

REQUEST TO APPROVE THE CLASS AND COMPENSATION STUDY: Consideration, discussion and possible approval for the Class and Compensation Study Competitive Compensation Analysis and to bring the current pay grades and salary ranges in line with the study. Manager Kalkoske noted that this study has been reviewed by a committee and this is just the start and that other departments are being evaluated and will be brought back later. Commissioner Cerri asked if these are immediate increases that with negotiations coming up, will result in additional increases. Manager Kalkoske responded. Commissioner Hoss asked who represents the Commission on this noting budgetary concerns identified by the auditors; he asked how this information was obtained. Director Kranovich reviewed how the study was conducted. Commissioner Tipton noted his concerns with the comparables given the size of the counties used. Commissioner Hoss agreed; he noted the need to look at what is going on including that larger counties are being used for comparison which skews the findings in his opinion. Commissioner Cerri concurred that this is not a fair comparison. Discussion ensued. Commissioner Cerri reiterated his concerns with the timing of this. Commissioner Tipton noted how the employees would view this. Commissioner Evatz asked if there is an avenue for this disagreement to be heard and respected potentially. Commissioner Cerri stated that this needs to wait until negotiations occur, noting that it may result in two increases for some employees. Discussion ensued regarding how this will impact negotiations, how the Board needs make expenditures come in line with revenues during budget

hearings, that an obligation was made to do this study and the obligation for the Commission to do something with it now that it is done. Treasurer Lecumberry appeared before the Commission and offered comments in support of treating the employees fairly as they are the ones doing the work every day, she noted that with merit increases and negotiations the salary amount is increased twice, concerns with what Pontifex did and the lack of a comp study since 1999. Chairman Hill questioned if the county had a fair shake with this comp study or if there are other options; he stated his support of getting everyone where they need to be but that he wants it to be fair and complete too and questions other options available. Director Kranovich offered comment as to the information received related to the study. Chief Deputy District Attorney Maddox suggested that as an option, as this is just a snapshot of the study with a committee making a recommendation, perhaps the Commission would like to discuss this in an open meeting to look at the study overall. Chairman Hill concurred noting concern with seeing pieces of the study and suggested that perhaps the company could come in and explain everything. County Clerk Spero noted her concern with the study and explained what had occurred when she reached out to the Clerk's Offices cited in the study. Director Kranovich commented on contact she had with other counties and her concerns that some of the data received does not match exactly with what was provided. Juvenile Director Pauline Salla noted that her youth advisor positions came in double digits percentage below what they should be getting paid which supports why it is so difficult to hire those positions; she commented on the impact this has on getting qualified applicants to accept positions, that we are only as good as the employees we have and that the Commission has stated that the employees are the number one priority for the county. Director Salla noted her understanding of the fiscal impact.

Discussion ensued regarding the incompleteness of the study, how to proceed, whether to seek another study, the need to address the minimums for the employees identified, that the timing with negotiations is not the employees fault, the need to continue to work with the departments that need to reclassify/address concerns, errors in the study, when the study was received, that some positions are not included and that there would be different numbers ever year so it is better to know about the problem and work to fix it. After discussion the following motion was made by Commissioner Tipton and passed unanimously:

*To approve the changes presented to the Commission today on this chart and the pay grade and salary range for the class and comp study.*

Commissioner Hoss asked that for future requests that all information possible be provided to make the process easier, noting that once input was received from managers with explanations it made it easier.

PUBLIC WORKS DEPARTMENT: Public Works Director Daniel Ferraro appeared before the Commission.

REQUEST TO WAIVE ATTRITION POLICY: Consideration, discussion and possible approval to waive the attrition policy to hire for the position of Road Maintenance Equipment Operator Position. Director Ferraro reviewed the request for the Commission. Commissioner Cerri asked how the duties are being handled now. Director Ferraro responded. The following motion was made by Commissioner Tipton and passed unanimously:

*To approve the position for road maintenance equipment operator and waive the attrition policy.*

GENERAL ROAD PROJECTS UPDATE: A presentation by Humboldt County Public Works Director Dan Ferraro to update the Board on Road projects within Humboldt County, 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. Director Ferraro reported on road work in various area in Humboldt County, the status of the well drilling in Denio and that the department has received notification that the certified, licensed operator for the Gold Country water system is resigning at the end of the month and what is being done to address that issue.

SHERIFF'S OFFICE: Under Sheriff Damon Kuskie appeared before the Commission.

REQUEST TO WAIVE ATTRITION POLICY: Consideration, discussion and possible approval for a request to waive the attrition policy to hire for three (3) Dispatch Operators within the Sheriff's Dispatch Center. Under Sheriff Kuskie reviewed the request for the Commission. The following motion was made by Commissioner Evatz and passed unanimously:

*To approve the request to waive the attrition policy from the Sheriff's Office for three dispatch operators at the Dispatch Center.*

LIQUOR BOARD: Undersheriff Damon Kuskie convened the Humboldt County Liquor Board at 12:38 p.m. for consideration, discussion and possible approval for a special liquor license application for Alexis and Alyssa Mendoza for Mezcal & Co. a mobile bartending service. Under Sheriff Kuskie reviewed the request for the Board and recommended approval. Discussion ensued regarding what is being asked for as far as the license and that individual events will require individual licenses. Sheriff's Office Manager Liz Sjoblom appeared before the Commission and explained this is for the business license with each event requiring an individual license. After discussion the following motion was made by Commissioner Hill, was seconded and passed unanimously:

*To approve the liquor license for Mezcal & Co.*

Under Sheriff Kuskie adjourned the Liquor Board meeting at 12:45 p.m.

TECHNOLOGY SERVICES DEPARTMENT: Technology Services Director Mike DeTullio appeared before the

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Commission.

REQUEST TO PURCHASE SECURITY CAMERAS AND LICENSES, AND CLOUD STORAGE: Consideration, discussion and possible approval to purchase sixteen security cameras with licenses and cloud storage from ConvergeOne, in an amount of \$39,577.75. Director DeTullio reviewed the request for the Commission. Discussion ensued regarding where the additional quotes were obtained from, why these were not purchased earlier in the budget cycle, the number of cameras being requested compared to the prior request, the process for justification of the camera's locations, how they are secured to the buildings, where this funding is included in the budget, what is planned for the next budget cycle and how the cameras interact with IT and law enforcement. The following motion was made by Commissioner and passed unanimously:

*To approve sixteen security cameras with license and cloud storage from Converge One in an amount not to exceed \$39,577.75.*

Chairman Hill recessed the meeting at 12:56 p.m. reconvening at 1:00 p.m.

COOPERATIVE EXTENTION: Northern Area Director for the Cooperative Extension Holly Gatzke and Cooperative Extension Agent Brad Schultz appeared before the Commission.

PROPOSAL FROM DIRECTOR OF EXTENSION'S NORTHERN AREA HOLLY GATZKE: Holly Gatzke, Director of Extension's northern area will present a proposal outlining an organizational realignment of offices and positions to better address funding constraints and recruitment issues. Director Gatzke reviewed what the Extension does including 4-H programs, work with natural resources and other duties; she noted issues in other areas filling these extension positions as people leave, the creation of an Extension County Coordinator position to manage the local programming and what is involved with that, a position of a livestock specialist in certain areas and an extension agriculture educator in another location, what is being discussed with Agent Shultz's position to keep him dedicated for natural resources and how that would impact Humboldt County and what would occur with the other duties of the department. She stated that this is the way they are moving but there is an opportunity to learn and grow to figure out how to do this. Discussion ensued regarding the difficulties with hiring for positions, the importance of maintaining employees and how to create something that results in that, the effort make a transition in the county, how the positions created have moved away from Ph.Ds and the effort to hire locally for the positions, concerns with what will occur when Agent Schultz leaves that the position is filled, the importance to keep the 4-H program going, how the funding will work for the State and other counties with the position being a state employee, what is planned at the state level related to the 4-H program, the need for support from County Commissions, the budgetary aspects of this, the importance of

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overlap with the new person before Agent Schultz as to the County and the importance of the understanding of Humboldt County's culture, geography and people for these positions.

COUNTY MANAGER:

REQUEST TO AUTHORIZE ANDY RIEBER TO DRAFT COMMENTS RELATED TO THE WESTWIDE SOLAR PEIS:

Consideration, discussion and possible approval for a request to authorize Public Lands and Resource consultant, Andy Rieber, to draft public comments on behalf of Humboldt County regarding the BLM's Westwide Solar PEIS and to coordinate opposition to the plan. Manager Kalkoske reviewed the request for the Commission. Andy Rieber, public lands consultant, offered comment. Commissioner Cerri offered comment on the importance of this request. Commissioner Tipton agreed and commented. Consultant Rieber commented on the efforts to reach out to the sister counties and what is being considered including the involvement of legal counsel Laura Granier. Commissioners Evatz and Hoss stated their support. Commissioner Tipton agreed with Ms. Rieber's suggestion to engage Laura Granier and asked for that to be included in any motion. Chief Deputy District Attorney Maddox stated that language is not included on the agenda, but it can be done behind the scenes. Discussion ensued regarding the language on the agenda. The following motion was made by Commissioner Cerri and passed unanimously:

*To authorize Andy Rieber to draft comments related to Westwide Solar PEIS and to engage with sister counties, if necessary, to accomplish this.*

APPROVAL FOR NOTICE OF FUNDING OPPORTUNITY SCORING MATRIX: Consideration, discussion and possible approval for the Notice of Funding Opportunity (NOFO) scoring sheet. Manager Kalkoske reviewed the request for the Commission. The following motion was made by Commissioner Evatz and passed unanimously:

*To approve the NOFO, the notice funding opportunity score sheet as presented.*

UPDATE REGARDING THE OPIOID LITIGATION GRANT REVIEW SUBCOMMITTEE: County Manager Don Kalkoske will update the Board regarding the Opioid Litigation Grant Review Subcommittee. Manager Kalkoske reviewed the matter for the Commission. Commissioner Evatz asked if this committee would be complying with the Open Meeting Law and have agendas posted. Manager Kalkoske responded that was the plan.

COALITION FOR HEALTHY NEVADA LANDS REQUEST FOR SUPPORT: Consideration, discussion and possible approval to authorize Chairman Jesse Hill to sign the Coalition for Healthy Nevada Lands sign-on letter, requesting the BLM reduce Wild Horse and Burro populations. Manager Kalkoske reviewed the request for the Commission. Commissioner Evatz noted that the proposed language of the letter did not

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reference burros. Manager Kalkoske confirmed that the reference could be added. After discussion the following motion was made by Commissioner Cerri and passed unanimously:

*That the Commission supports the Coalition for Healthy Nevada Lands request in regard to wild horses and burros with the addition of burros to the letter.*

Commissioner Hoss asked that a copy of the memorandum from Congressman Amodei be provided to Manager Kalkoske.

#### MISCELLANEOUS REPORTS AND CORRESPONDENCE:

Other information and upcoming meetings: The following meeting were noted by Chairman Hill - March 19, 2024 Winnemucca City Council Meeting, March 25 & 26, 2024 Humboldt County Budget Hearings, April 1, 2024 Humboldt County Board of Commissioners Meeting and April 9, 2024 Winnemucca City Council Meeting

Reports from Commissioners regarding other Boards and Committees on which they serve: Commissioner Cerri offered no report. Chairman Hill offered no report. Commissioner Evatz offered no report. Commissioner Tipton offered a report on a cooperating agency working group meeting he had attended with Ms. Rieber and the BLM and his attendance at a NACO workshop about best practices for energy management; he noted correspondence received from NVEnergy regarding the Valmy plants conversion to gas and information received about the BLM reorganizing positions in Washington. Commissioner Hoss reported on an Airport Board meeting and a Museum Board meeting.

FUTURE AGENDA ITEMS: Whether an item will be placed on a future agenda will be subject to the chairman and/or legal counsel's determination. Manager Kalkoske noted the request from Mrs. Kenison during public comment. Chairman Hill stated the need to work with the District Attorney and Mrs. Kenison to see if this will proceed as an agenda item. Chief Deputy Maddox stated that she would follow up on the item with the County Manager and the Chairman, noting the language of the agenda that placement on a future agenda is subject to the Chairman's and legal counsel's determination. Manager Kalkoske indicated an assignment to the NDOW Citizen Advisory Board for a future agenda. Commissioner Hoss commented on expenditures noting the costs for propane and gas and questioning if there is a way to look at those before budget. Discussion ensued with Manager Kalkoske indicating that he will follow up. Commissioner Cerri asked for a cricket update so as not to get behind and to get areas identified so aerial treatments can begin as the crickets are out. Discussion ensued as to the need to get the public to report sightings to the State.

PUBLIC COMMENT: Chairman Hill asked for public comment. Commissioner Evatz noted the upcoming Nevada Muleys annual banquet and fundraiser and explained the benefits of the organization; he

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congratulated the Wolf Pack on making it to the tournament. Commissioner Tipton noted that this is Dave Mendiola's last week and he offered his thanks for his years of work as he did an excellent job and he wished him well on his next venture. Tami Rae Spero offered public comment stating her appreciation for Humboldt General Hospital and their services.

ADJOURNMENT: Chairman Hill adjourned the meeting at 2:17 p.m.

ATTEST: \_\_\_\_\_ APPROVED: \_\_\_\_\_  
Clerk Chairman

(Minutes approved by the Commission and signed by the Chairman on \_\_\_\_\_)



# HUMBOLDT COUNTY

50 W. 5<sup>th</sup> Street  
Winnemucca, Nevada 89445  
www.humboldtcountynv.gov

## STAFF AGENDA REQUEST

**DATE:** March 21, 2024  
**TO:** County Commission  
**FROM:** Honorable Judge Michael Montero, Sixth Judicial District Court, Adult Drug Court  
**SUBJECT:** Fiscal Agent Memorandum of Understanding  
**REQUESTED AGENDA DATE:** April 1, 2024

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### **SUMMARY AND BACKGROUND:**

The Sixth Judicial District Court respectfully request the approval of the Fiscal Agent Memorandum of Understanding between the Sixth Judicial District Court, Adult Drug Court Program and Humboldt County, Nevada.

### **WHY ARE YOU BRINGING THIS BEFORE THE BOARD NOW:**

The Sixth Judicial Adult Drug Court program is in the final year of a \$2,000,000 SAMHSA grant award. The Adult Drug Court program is applying for federal grant funding through The Bureau of Justice Assistance to enhance operations by expanding evidence-based services and recovery supports that meet the evolving need of program participants. This BJA grant requires that the application include a Fiscal Agent Memorandum of Understanding. This MOU describes how the applicant (Humboldt County) will coordinate directly with the adult treatment court for which funding is being sought and reflect an agreement that the applicant will serve as the fiscal agent.

### **PREVIOUS ACTION:**

N/A

### **HAS DISTRICT ATTORNEY REVIEWED AGREEMENT/CONTRACT IF APPLICABLE:**

N/A

### **FISCAL IMPACT IF APPLICABLE:**

If awarded Humboldt County would receive BJA funding in the amount of \$1,000,000.

### **RECOMMENDATION:**

Recommendation to approve the Fiscal Agent Memorandum of Understanding with Sixth Judicial District Court, Adult Drug Court Program.

**LIST SUPPORTING DOCUMENTS IF APPLICABLE:**

Proposed Fiscal Agent MOU between The Sixth Judicial District Court, Adult Drug Court Program and Humboldt County, Nevada

**POSSIBLE MOTION:**

To approve Fiscal Agent MOU between the Sixth Judicial District Court, Adult Drug Court Program and Humboldt County, Nevada.

## Memorandum of Understanding (MOU)

### Between

### The Sixth Judicial District Court, Adult Drug Court Program and Humboldt County, Nevada

This MOU, entered into on this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ is an agreement in principle concerning the agreement and expectations of the parties noted above.

#### I. Purpose and Scope

The purpose of this Memorandum of Understanding (MOU) is to clearly identify the roles and responsibilities of each party as they relate to their roles within the Humboldt County Adult Drug Court grant provided by the Bureau of Justice Affairs to Humboldt County for the Humboldt County Adult Drug Court.

The purpose of the grant project is to enhance the delivery of treatment services to include a more complete and comprehensive continuum of care.

#### II. MOU Term

The term of this MOU Agreement is the period within which the project responsibilities of this agreement shall be performed. The term commences October 1, 2024 and terminates on September 30, 2028.

- I. All signatories agree to the following:
  - a. Adhere to the following mission statement: The mission of the Sixth Judicial District Court's Specialty Courts is to improve quality of life, reduce recidivism, and increase community safety and awareness by engaging the drug and alcohol abusing defendant, or the defendant with a mental health illness, in an intensive, court supervised, treatment program. A multidisciplinary team of a judge, defense and prosecution counsel, court officers, treatment providers, parole and probation officers, and drug testing staff work with the defendant.
  - b. The success of the Humboldt County Adult Drug Court requires commitment of time and resources from each participating entity.
  - c. Adhere to the guidelines and participation responsibilities detailed in the following documents, as may be amended at any time during the term of this Memorandum of Understanding:
    - i. The Sixth Judicial HCADC Participant Handbook;
    - ii. The HCADC Roles and Responsibilities;
    - iii. The NADCP 10 Key Components of Drug Courts; and
    - iv. The All Rise Best Practice Standards for Adult Drug Courts.
  - d. Maintain effective communication while meeting all federal and state privacy confidentiality laws applying to personal health information and substance abuse treatment information. These laws include 42 C.F.R. Part 2, N.R.S. 441A.220, and N.R.S. 441.230.
- II. Responsibilities of the Signatories of the MOU

### Sixth Judicial District Court Responsibilities

As a signatory to this MOU, the Sixth Judicial District Court commits to the following in support of the Humboldt County Adult Drug Court.

- a. Attend grantee meetings and/or training required for grant administration compliance.
- b. Ensure adherence to applicable federal and state laws and regulations and program guidelines in conjunction with Humboldt County.
- c. Participate in training as requested by Humboldt County.
- d. Submit payment vouchers with the required coding necessary to track grant funds.
- e. Work jointly with Humboldt County to ensure budget compliance.
- f. Work jointly to address funder needs and issues as they arise.
- g. Work jointly with Humboldt County to prepare materials for annual audits.

### Humboldt County Responsibilities

As a signatory to this MOU, Humboldt County commits to the following in support of the Humboldt County Adult Drug Court.

- a. Attend grantee meetings and/or training required for grant administration compliance.
- b. Assist with protocol development or revisions for the purpose of fiscal grant management.
- c. Ensure adherence to applicable federal and state laws and regulations and program guidelines in conjunction with Humboldt County Adult Drug Court.
- d. Participate in meetings and trainings as requested by Humboldt County Adult Drug Court.
- e. Payment of all grant expenditures consistent with payment voucher allocations.
- f. Provide financial grant management, including but not limited to:
  - i. Adherence to budget limitations.
  - ii. Submission of timely financial reports to funder.
  - iii. Provision of access to grant budget reports.
  - iv. Retention of all records supporting grant financial reports.
  - v. Submission of a copy of audited financial statements for grant-related expenditures to funder as requested by their authorized personnel.

### **III. Modification and Termination**

- a. This agreement may be cancelled or terminated without cause by either party by giving thirty (30) calendar days advance written notice to the other party. Such notification shall state the effective date of termination or cancellation and include any final performance and/or payment invoicing instructions/requirements.
- b. Any and all amendments must be made in writing and must be agreed to and executed by the parties before becoming effective.

### **IV. Effective Date and Signature**

This MOU shall be effective Upon the signature of Humboldt County Adult Drug Court and Humboldt County authorized officials. It shall be in force from October 1, 2024- September

30, 2028. Humboldt County Adult Drug Court and Humboldt County indicate agreement with this MOU by their signatures.

**Signatures and Dates**

For Humboldt County

By: \_\_\_\_\_

Signature

\_\_\_\_\_  
Print

\_\_\_\_\_  
Title

HUMBOLDT COUNTY  
50 W. 5th Street  
Winnemucca, NV 89445

\_\_\_\_\_  
Date

For Sixth Judicial District Court

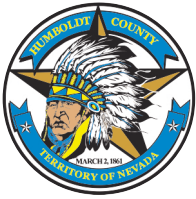
By: \_\_\_\_\_

Signature

\_\_\_\_\_  
Print

Michael R. Montero  
District Court Judge  
Sixth Judicial District Court, Dept II  
25 W. 5th Street  
Winnemucca, NV 89445

\_\_\_\_\_  
Date



# HUMBOLDT COUNTY

50 W. 5<sup>th</sup> Street  
Winnemucca, Nevada 89445  
[www.hcnv.us](http://www.hcnv.us)

## STAFF REPORT

**DATE:** Thursday, March 21, 2024  
**TO:** County Commission  
**FROM:** Gina Rackley for the Orovada Community Services District  
**SUBJECT:** HVAC Installation in Orovada Community Hall  
**REQUESTED AGENDA DATE:** April 1, 2024

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### **SUMMARY**

We have been working with the Orovada Community Board for approximately one year to get HVAC bids in the Orovada Community Hall. Originally, only one bid was received, unfortunately that company did not comply with ARPA requirements and the bid was not able to be awarded. We were also informed that the unit that was bid would not be satisfactory for the size of the building so it was deemed necessary to consult with experts in the field to assist in determining that before going back out to bid.

### **WHY ARE YOU BRINGING THIS BEFORE THE BOARD NOW:**

ARPA funds must be spent by December 31, 2024 or the project in progress funds spent by December 31, 2026

### **BACKGROUND**

After it was determined that the unit that had been originally bid may not be satisfactory, we reached out to CTA, Inc., and Ainsworth & Associates to receive quotes to assist us in design calculations to assist in unit selection. Ainsworth & Associates also recommended contracting with Jon Burhans to serve as Project Manager so a quote was received from his as well.

### **FISCAL IMPACT**

The fiscal impact would be from \$12,635 to \$124,280 depending on the decision of the Commission paid from ARPA funds requested to complete this project.

### **RECOMMENDATION**

Recommend either approving the CTA, Inc. quote or the Ainsworth & Associates quote. Recommend approving the quote with Jon Burhans to serve as Project Manager or use the Facilities Operation Department along with Michael Clay as necessary as Project Manager.

### **POSSIBLE MOTION**

**HUMBOLDT COUNTY**  
**CONTRACT FOR SERVICES OF INDEPENDENT, PROFESSIONAL SERVICES CONTRACTOR**  
**Orovada Community Hall HVAC Upgrade**

A Contract between the HUMBOLDT COUNTY, hereinafter referred to as "COUNTY" and JON BURHANS, hereinafter referred to as "CONTRACTOR," Tax ID No. 88-0215521

WHEREAS, NRS 332.115 authorizes COUNTY to employ professional services; and

WHEREAS, CONTRACTOR represents that he, she, or it is duly qualified and capable to render the services as hereinafter described;

NOW, THEREFORE, in consideration of the aforesaid premises, the parties mutually agree as follows:

1. **Term.** This contract shall be effective from April 19, 2024 to February 26, 2024 (approximately), at which time this contract shall terminate without notice to either party unless sooner terminated by either party as set forth in paragraph two.
2. **Termination.** This contract may be terminated without cause by either party prior to the date set forth in paragraph 1, provided that a termination shall not be effective until Thirty (30) days after a party has served written notice of termination upon the other party.
3. **Service of CONTRACTOR.** CONTRACTOR agrees to render in a good and workmanlike manner the services set forth below and CONTRACTOR represents that he, she, or it is qualified to perform these services:

**Owners Representative**

4. **Compensation.** COUNTY shall pay to CONTRACTOR the sum of: **\$65,280.00**. Said sum shall be paid monthly as follows:

April, 2024	\$8,160.00
May, 2024	\$8,160.00
June, 2024	\$8,160.00
July, 2024	\$8,160.00
August, 2024	\$8,160.00
September, 2024	\$8,160.00
October, 2024	\$8,160.00
February, 2024	\$8,160.00

5. **Contractor.** CONTRACTOR is responsible for his/ her own federal withholding and accounting. CONTRACTOR shall complete and attach a W-9 Form to the Contract.
6. **Transportation/Lodging Expenses.** Included in compensation amount.
7. **Applicable Law.** This contract shall be construed and interpreted according to the laws of the State of Nevada.
8. **Non-Assignability.** The CONTRACTOR shall not assign, transfer, nor delegate any rights, obligations, or duties under this Agreement without the prior written consent of COUNTY.
9. **Insurance.** CONTRACTOR will provide his/her own vehicle insurance coverage at a rate required by applicable law; and will provide the COUNTY proof thereof which will be attached to this contract.
10. **Relationship.** CONTRACTOR understands and agrees that this contract in no way creates an employer-employee relationship between COUNTY and CONTRACTOR for any purpose; including but not limited to, worker's compensation insurance purposes or unemployment compensation coverage. CONTRACTOR

understands and agrees that he/she is solely responsible to provide and maintain his/her own worker's compensation insurance policy, unemployment compensation coverage or any other federal, state, county, municipal or other governmentally mandated insurance coverage associated with CONTRACTOR'S business, trade, and or profession. COUNTY may require from CONTRACTOR a true and correct copy of the original written proof, or certificate, of coverage for any federal, state, county, municipal or other governmentally mandated insurance coverage.

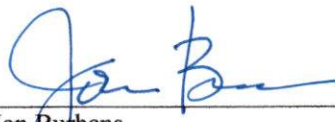
11. **Certification.** CONTRACTOR certifies that neither he, she, or it, nor any sub-recipient there from are suspended or debarred (nor is any principal there of suspended or debarred) as an eligible individual or organization to receive federal, state, or local government funds, as listed in the list of Parties Excluded from Federal Procurement or NM Procurement programs, issued by the General Services Administration (GSA).
12. **Independent Contractor.** The parties agree that CONTRACTOR is an independent contractor. It is expressly understood that the relationship of the parties is that of independent contractor and not of employer and employee. CONTRACTOR agrees in this respect that there shall be no: Withholding of income taxes by COUNTY; Participation or contributions by either the independent contractor or COUNTY to the Public Employees Retirement System; Accumulation of annual or sick leave; Unemployment compensation coverage.
13. **Agreement.** This contract constitutes the entire agreement between the parties and may only be modified by a written amendment signed by the parties.

IN WITNESS WHEREOF, the parties hereto have caused this contract to be signed and intend to be legally bound thereby this 20th day of March, 2024.

**HUMBOLDT COUNTY:**

**CONTRACTOR:**

By \_\_\_\_\_  
Jesse Hill  
Humboldt County Commission Chairman

By  \_\_\_\_\_  
Jon Burhans  
Owner's Representative



March 19, 2024

p24028

Gina Rackley  
Humboldt County Comptroller  
**Sent Via Email**

SUBJECT: Orovada Community Center  
Orovada, NV

Dear Gina:

Thank you for requesting a fee proposal for the above-referenced project. It is understood that Humboldt County intends to add mechanical cooling to the Community Hall located at Rock Creek Road in Orovada, Nevada. The scope will entail demolition or abandonment (dependent upon electrical load calculations) of the existing electrical unit heaters and the installation of one or two new pad mounted all-electric heat pump air handling units with mechanical dx cooling and electric resistance supplemental strip heat. The building is used as a community center including local school students using the facility for sports activities throughout the year. At its peak occupancy, the building sees around 200 people seated at rest or lightly socializing. The building may or may not need an electrical service upgrade for this scope.

This proposal includes full mechanical design services for equipment selection and system design, architectural administrative assistance for Div. 0 and Div. 1 specifications, structural engineering for housekeeping pads and equipment anchorage, and electrical engineering for power to new equipment and an electrical service upgrade.

**Our engineering services would include the following items:**

1. Consultation, advice, and design solutions during the design phases of the Project. We are assuming that existing “As-Built” drawings are available for our use.
2. Review all available existing as-built drawings related to these systems.
3. Perform one additional job site visit during design (both mechanical and electrical) to confirm existing conditions.
4. Two-dimensional PDF Contract Documents prepared using 2D AutoCAD software or 3D Revit software collaborated in BIM 360.
5. Design team meetings as required although we have assumed that weekly meetings during the design phase of the project will not be required.
6. Three-part book specifications in AIA format.
7. An Engineer’s Opinion of Probable Costs at major milestones, if requested.
8. Resolve facility and agency plan check comments.
9. Interpret the extent of the design documents and answer any questions during the bidding/negotiation phase of the project.
10. Review of material lists and submittals relating to work specified.
11. During construction, provide technical consultation and general observance of the work designed and specified including two visits to the project site: one (mechanical only) at the approximate

mid-point of construction and one (both mechanical and electrical) near substantial completion to prepare a final acceptance report; subject to the following:

- We will attempt to prevent defects and deficiencies in the work of the contractors but do not guarantee the performance of their contracts.
- You or your construction owner’s rep. will keep us informed as to the progress of construction so that our site visits may be planned accordingly.

**The scope of work specifically does not include the following:**

1. Any scope item not specifically included above.
2. Weekly in-person meetings during the construction phase (OAC meetings). We are happy to attend online OAC meetings as needed.
3. On-site meetings in excess of those noted above. If needed, additional site visits can be performed at a cost of \$2400.00 each.
4. LEED or environmental engineering calculations/consultation.
5. Noise or vibration analysis of mechanical systems.
6. Services resulting from changes to the scope or magnitude of the project, value engineering, and/or changes necessary because of cost over-runs.
7. Design or review of multiple mechanical equipment or system options due to equipment lead times and/or availability of originally specified equipment or systems at the time of construction.

**Compensation for basic service as described herein shall be based on a lump sum fee of \$59,000.00, broken down as follows:**

Design Development	\$17,500.00
90% Construction Documents	\$17,500.00
100% Construction Documents	\$ 9,000.00
Bidding/Agency Review	\$ 2,000.00
Construction Administration	<u>\$13,000.00</u>
Total	\$59,000.00

We would suggest that reimbursement for our services be accomplished as follows:

1. We would submit monthly progress billings for basic services, and separate monthly billings for any authorized extra services. Billings for extra services would include employee category engaged in the work and hourly rate of compensation and all direct expenses noted.

All reports, plans, specifications, field data, field notes, calculations, and other documents prepared by Ainsworth Associates Mechanical Engineers as instruments of service shall remain the property of Ainsworth Associates Mechanical Engineers.

We cannot be responsible for unforeseen or undisclosed conditions that are not reasonably observable through existing building construction such as equipment and systems above hard lid ceilings, within walls, below grade, etc. Conditions of this nature will require us to rely on the accuracy of the As-Built documents provided to us by the Owner. In order to avoid expenditure of potentially great sums of money or potentially disrupt on-going facility operations and the project schedule, no attempt will be made to

destroy or disrupt adequate and serviceable installations and concealed construction. Consequently, existing conditions will be verified through observations of the work that are readily visible and/or available existing As-Built drawings.

If work is abandoned or suspended, in whole or in part, services rendered to date of abandonment are to be paid for in accordance with percentage of completion of the project documents at that time.

It is understood that Ainsworth Associates Mechanical Engineers makes no warranty, expressed or implied, except that plans and specifications furnished as a result of the Agreement will be prepared in accordance with generally accepted professional engineering practices.

Ainsworth Associates Mechanical Engineers carries insurance with \$2M/\$4M limits.

Ainsworth Associates Mechanical Engineers makes no representation concerning any probable budget costs made in connection with the plans, specifications or drawings prepared by them, other than that all probable costs are for budget purposes only and the Engineer cannot be held responsible for actual final construction costs.

We appreciate your consideration of our services for this project. I hope that you find this proposal acceptable. I am available to discuss any refinement or adjustments in the foregoing so that an agreement for our services can be developed. Please give me a call if you have questions.

Sincerely,  
AINSWORTH ASSOCIATES MECHANICAL ENGINEERS



Roger Gravelle  
Principal

Approved and Accepted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Signed: \_\_\_\_\_ Organization: \_\_\_\_\_

Name and Title: \_\_\_\_\_



# PK Electrical, Inc.

ENGINEERING | DESIGN | CONSULTING

681 Sierra Rose Drive, Suite B | Reno, NV 89511 | p. 775.826.9010 ext. 8816  
4601 DTC Boulevard, Suite 740 | Denver, CO 80237 | p. 720.481.3290  
pkelectrical.com

## Contract Proposal CP24109

### Proposal For

Roger Gravelle, LEED AP BD+C, CPD  
Ainsworth Associates Mechanical Engineers  
1420 Holcomb Avenue  
Suite 201  
Reno, NV 89502  
rgravelle@aa-me.com

### From

**Karen Purcell, P.E.**  
Principal

**Mar 19, 2024**

### Project

Orovada Community Center HVAC Upgrade

### Project Description

The project is to replace existing electric unit heaters with two pad mounted air handlers at the Orvada Community Center.

It is our understanding that the existing 600 Amp, 208V 3-phase service will need to be upgraded to 800 Amp, 208V 3-phase. The existing interior panel will remain and a new 800A service will be designed to be installed on the exterior of the building. The new service will feed the existing panel and the new HVAC equipment.

Electrical design shall include minor demolition of electrical equipment feeding existing HVAC equipment, electrical service upgrade, and new branch power to connect replacement equipment and a new fan. Existing branch wiring and disconnects/enclosed circuit breakers will be reused where possible.

The electrical design does not include new lighting, lighting controls, receptacles, fire alarm modifications, nor telecommunication system modifications. All controls will be low voltage and by others.

### Scope of Services

Design Phase Services include site investigation, consultation, calculations, permit & construction documents and specifications suitable for permitting, bidding and construction. We will attend local (Reno) or virtual design meetings as required to coordinate with other trades.

Deliverables include progress sets and 100% Construction Documents/Permit Submittal. Deliverables will include drawings, sheet specifications, and calculations.

Permit Phase Services include responding to plan review comments and reissuing drawings as needed.

Bid Phase Services include responding to bidder questions, issuing written narratives & revision sketches.

Construction Administration Services include consultation, submittal and shop drawings review, responses to RFIs and revisions to contract drawings. We will attend local design meetings as required to coordinate with other trades and will provide contract administration services as required for a complete project. Close out shall include review of all contractor closeout documentation and we will provide record drawings based on contractor redlines.

Site Visits include 1 site visit during design and 1 site visit during construction for general observation. Additional site visits will be billed at \$2,400 per visit.



# PK Electrical, Inc.

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4601 DTC Boulevard, Suite 740 | Denver, CO 80237 | p. 720.481.3290  
pkelectrical.com

Project Design Schedule: start date will commence upon receipt of signed proposal or agreement and the completion date shall be established by the project team and/or Owner at the start of design. The anticipated design will be completed by May 1, 2024.

Exclusions: LEED design and documentation; energy modeling beyond IECC compliance; digital renderings; permit, plan check, and utility fees; completing building department and utility applications and submitting plans to these agencies; and arc flash and coordination study.

<b>Fee and Structure</b>			<b>Amount</b>
Construction Documents	Fixed Fee		8,000.00
Bidding & Negotiation	Fixed Fee		500.00
Construction Administration	Fixed Fee		1,500.00
Site Visits (2)	Fixed Fee		4,800.00
<b>Total Amount</b>			<b>\$14,800.00</b>

## Terms and Conditions

PK Electrical carries professional liability insurance with \$5M/\$5M limits. See attached Terms and Conditions.

## Authorization and Acceptance

(Acknowledgment of Concurrence with the foregoing)

Karen Purcell, P.E.  
Principal

Roger Gravelle, LEED AP BD+C, CPD  
Principal

Date

PURCELL ELECTRICAL PROFESSIONAL CORPORATION  
Dba PK ELECTRICAL, Inc.  
681 Sierra Rose Drive, Suite B  
Reno, Nevada 89511

STANDARD AGREEMENT and TERMS AND CONDITIONS  
Between Client and Engineer for Professional Services

SECTION 1 - BASIC SERVICES OF ENGINEER

1.1 General.

1.1.1. The Basic Services to be performed by Purcell Electrical Professional Corporation dba PK Electrical hereinafter referred to as ENGINEER, are defined in the attached proposal letter agreement, hereinafter referred to as Letter of Agreement. When Letter of Agreement is signed by both parties, with the second party hereinafter referred to as CLIENT, the Letter of Agreement invokes the Standard Agreement and Terms and Conditions contained herein.

1.1.2. The part of the Project for which ENGINEER is to provide services described in the attached Letter of Agreement and in this document is hereinafter referred to as This Part of the Project.

1.1.3. ENGINEER will collaborate with CLIENT and CLIENT's consultants to the extent required to provide a coordinated design for the overall Project. All communications with the CLIENT's consultants or other Project participants will be through or with the knowledge of the CLIENT. Except as set forth herein, ENGINEER will not have any duties or responsibilities for any other part of the Project. ENGINEER will perform services in character sequence and timing so that it will be coordinated with that of CLIENT and other consultants for the Project. ENGINEER agrees to a mutual exchange of Drawings and Specifications for the Project with CLIENT and other consultants.

1.1.4. If you have chosen not to have the ENGINEER and the consultants of the ENGINEER provide construction administration services on the project, then those services shall be excluded from our contract. The CLIENT shall then assume the liability to ensure that the project is constructed in accordance with the design of the ENGINEER and the CLIENT will hold the ENGINEER harmless from any claim due to the contractor not building per plans and specifications.

SECTION 2 - ADDITIONAL SERVICES

2.1 General.

If authorized in writing by the CLIENT, ENGINEER shall furnish or obtain from others Additional Services of the following types which are not considered normal or customary Basic Services except to the extent provided otherwise in the attached Letter of Agreement; these will be paid for by CLIENT as indicated in Section 5.

2.1.1. Services to make measured drawings of or to investigate existing conditions or facilities, or to verify the accuracy of drawings or other information furnished by CLIENT.

2.1.2. Services resulting from significant changes in extent of This Part of the Project or its design including, but not limited to, changes in size, complexity, CLIENT's schedule, or character of construction; and revising previously accepted studies, reports, design documents, or Contract Documents when such revisions are due to causes beyond ENGINEER's control.

2.1.3. Additional services in connection with This Part of the Project; including services normally furnished by CLIENT, and services not otherwise provided for in this or the attached Letter of Agreement such as: services of special consultants, value engineering, detailed cost estimates, or Bid Phase or Construction Phase services.

SECTION 3 - CLIENT'S RESPONSIBILITIES

CLIENT shall:

3.1. Provide all criteria and full information as to CLIENT's requirements for the Project including: design objectives and constraints, space, capacity and performance requirements, flexibility and expandability, and any budgetary limitations. Furnish copies of all design and construction standards which CLIENT will require to be included in the Drawings and Specifications.

3.2. Assist ENGINEER by placing at his disposal all available information pertinent to the Project including previous reports and any other data relative to design or construction of the Project.

3.3. Arrange for access to and make all provisions for ENGINEER to enter upon public and private property as required for ENGINEER to perform his services.

3.4. Furnish, or direct ENGINEER in writing to provide, necessary Additional Services as stipulated in Section 2 of this Agreement or other services as required.

3.5. Bear all costs incident to compliance with the requirements of this Section 3.

SECTION 4 - PERIOD OF SERVICE

4.1. The provisions of this Section 4 and the various rates of compensation for ENGINEER's services provided for elsewhere in

this Agreement have been agreed to in anticipation of the orderly and continuous progress of the Project through completion of the Design Phase (unless otherwise stated in attached proposal letter). ENGINEER's obligation to render services hereunder will extend for a period that may reasonably be required for the design (unless otherwise stated in attached proposal letter) of This Part of the Project; including extra work and required extensions thereto.

4.2. If ENGINEER's services for design (or phases as stated in attached proposal letter) of This Part of the Project are delayed or suspended (in whole or in part) by CLIENT for more than two weeks for reasons beyond ENGINEER's control then ENGINEER shall, on written demand to CLIENT (but without termination of this Agreement) be paid as provided in paragraph 5.3.2. If such delay or suspension extends for more than three months (for reasons beyond ENGINEER's control) or if ENGINEER, for any reason, is required to render services more than three months after initial date of letter of agreement, the various rates of compensation shall be subject to renegotiation.

#### SECTION 5 - PAYMENTS TO ENGINEER

5.1.1. For Basic Services. CLIENT shall pay ENGINEER for Basic Services described in the Letter of Agreement rendered under Section 1, the Lump Sum or Time and Materials Fee as described in the Letter of Agreement.

5.1.2. For Additional Services. CLIENT shall pay ENGINEER for Additional Services rendered under Section 2 as follows:

5.1.2.1. General. For Additional Services rendered, under paragraphs 2.1.1 through 2.1.3, the fee shall be that which is agreed upon on an Authorization for Additional Services form. This Authorization for Additional Services form shall be issued at the time of CLIENT's request and shall include revised scope of work. The Authorization for Additional Services form shall be signed by the CLIENT and this will act as notice to proceed with Additional Services.

5.1.3. Reimbursable Expenses. In addition to payments provided for in paragraphs 5.1.1 and 5.1.2, CLIENT shall pay ENGINEER the actual costs (times a factor of 1.1) of all Reimbursable Expenses incurred in connection with all Basic and Additional Services if defined in the attached Letter of Agreement.

5.1.4. The terms "Reimbursable Expenses" will have the meanings assigned in paragraph 5.4.

#### 5.2. Times of Payments

5.2.1. ENGINEER shall submit monthly or semi-monthly invoices for Basic and Additional Services rendered and for Reimbursable Expenses incurred. The invoices will be based upon ENGINEER's estimate of the proportion of the total services actually completed at the time of billing. Payment terms are net 30 days. CLIENT shall make prompt payments in response to ENGINEER's statements.

#### 5.3. Other Provisions Concerning Payments.

5.3.1. If CLIENT fails to make any payment due ENGINEER for services and expenses within the limits described in the attached

Letter of Agreement, the amounts due ENGINEER shall include a charge at the rate of 1.5% per month from said thirtieth day, and in addition, ENGINEER may (after giving seven days written notice to CLIENT) suspend services under this Agreement until he has been paid in full all amounts due him for services and expenses.

5.3.2. In the event of termination by CLIENT under paragraph 7.1 of the Basic Services; ENGINEER will be paid for services rendered up to that time (on the basis of Direct Labor Costs times a factor of 3.2) for services rendered to date of termination by principal and employees assigned to This Part of the Project. In the event of any such termination, ENGINEER will be paid for all unpaid Additional Services and unpaid Reimbursable Expenses, plus all termination expenses. Termination Expenses mean Reimbursable Expenses directly attributable to termination, which shall include an amount computed as a percentage of total compensation for Basic Services earned by ENGINEER to the date of termination, as follows:

20% if termination occurs after commencement of the Design Phase.

#### 5.4. Definitions.

5.4.1. The Direct Labor Costs used as a basis for payment means salaries and wages (basic and incentive) paid to all personnel engaged directly on the Projects, including but not limited to; engineers, designers, drafters, estimators, administration, and clerical.

5.4.2. Reimbursable Expenses means the actual expenses incurred (directly or indirectly) in connection with the Project for: obtaining bids or proposals from Contractor(s); postage, toll telephone calls and telegrams; reproduction of reports, Drawings, Specifications, and similar Project related items in addition to those required under Section 1; project related travel and lodging costs; and, if authorized in advance by CLIENT, overtime work requiring higher than regular rates.

#### SECTION 6 - OPINIONS OF COST

##### 6.1. Opinions of Cost.

6.1.1. Since Engineer has no control over the cost of labor, material, equipment, or services furnished by others; or over the Contractor(s) methods of determining prices; or over competitive bidding or market conditions; then his opinions of probable Construction cost for This Part of the Project provided for herein are to be made on the basis of his experience and qualifications; and represent his best judgment as an experienced and qualified Professional Engineer (familiar with the construction industry). ENGINEER cannot and does not guarantee that proposals, bids, or actual Construction Cost for This Part of the Project will not vary from opinions of probable cost prepared by him. If prior to the Bidding or Negotiating Phase CLIENT wishes greater assurance as to Construction Cost for This Part of the Project he shall employ an independent cost estimator as provided in paragraph 2.1.3.

#### SECTION 7 - GENERAL CONSIDERATIONS

##### 7.1. Termination.

7.1.1. The obligation to provide further services under this Agreement may be terminated by either party upon seven days written notice.

#### 7.2. Reuse of Documents.

7.2.1. All documents including Drawings and Specifications prepared by ENGINEER pursuant to this Agreement are instruments of service in respect of the Project. They are not intended or represented to be suitable for reuse by CLIENT or others on extensions of the Project or on any other project. Any reuse, without written verification or adaptation by ENGINEER for the specific purpose intended, will be at CLIENT's sole risk and without liability or legal exposure to ENGINEER; and CLIENT shall indemnify and hold harmless ENGINEER from all claims, damages, losses, and expenses (including attorney's fees) arising out of or resulting therefrom. Any such verification or adaptation will entitle ENGINEER to further compensation at rates to be agreed upon by CLIENT and ENGINEER.

#### 7.3. Records.

7.3.1. Records of ENGINEER's Direct Labor Costs, Payroll Costs, and Reimbursable Expenses (pertaining to This Part of the Project) will be kept on a generally recognized accounting basis and made available to CLIENT on request.

7.3.2. ENGINEER shall maintain all design calculations on file in legible form. A copy of these shall be available to CLIENT at ENGINEER's expense; and the originals shall not be disposed of by ENGINEER until after sixty days prior written notice to CLIENT or 60 months after project completion without notice.

7.3.3. ENGINEER's records and design calculations will be available for examination and audit as required in writing by CLIENT.

#### 7.4. Insurance.

7.4.1. CLIENT and ENGINEER shall each procure and maintain insurance (other than life insurance) for protection from claims under worker's compensation acts, claims for damages because of bodily injury (including personal injury), sickness or disease or death of any and all employees or of any person other than such employees, and from claims or damages because of injury to or destruction of property including loss of use resulting there from.

7.4.2. Also CLIENT and ENGINEER shall each procure and maintain professional liability insurance for protection from claims arising out of performance of professional services caused by any negligent error, omission, or act for which the insured is legally liable. Such professional liability insurance will provide for coverage in such amounts, with such deductible provisions, and for such periods of time as appropriate for the size of the project; and certificates indicating that such insurance is in effect will be exchanged by them.

7.4.3. CLIENT will also cause other professional consultants retained by CLIENT for the Project to procure and maintain comparable professional liability insurance coverage.

7.4.4. CLIENT agrees to limit the ENGINEER's liability to the CLIENT and to all construction contractors and subcontractors on the project, due to the ENGINEER's negligent acts, errors or omissions, or any claim of any nature whatsoever arising out of or relating to the performance of professional services under this agreement, such that the total aggregate liability of the ENGINEER to all those named shall not exceed \$50,000 or the ENGINEER's total fee for services rendered on this project, whichever is greater.

#### 7.5. Controlling Law.

7.5.1. This Agreement is to be governed by the law of the State of Nevada.

#### 7.6. Successors and Assigns.

7.6.1. CLIENT and ENGINEER each binds himself and his partners, successors, executors, administrators, assigns and legal representatives to the other party to this Agreement and to the partners, successors, executors, administrators, assigns and legal representatives of such other party, in respect to all covenants, agreements and obligations of this Agreement.

7.6.2. Neither CLIENT nor ENGINEER shall assign, sublet, nor transfer any rights under or interest in (including, but without limitation, moneys that may become due or moneys that are due) this Agreement without the written consent of the other, except as stated in paragraph 7.4.1. And except to the extent that the effect of this limitation may be restricted by law. Unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under this Agreement. Nothing contained in this paragraph shall prevent ENGINEER from employing such independent consultants, associates, and subcontractors as he may deem appropriate to assist him in the performance of services hereunder.

7.6.3. Nothing herein shall be construed to give any rights or benefits hereunder to anyone other than CLIENT and ENGINEER.

# CFBR STRUCTURAL GROUP, LLC

Chris Roper, PE/SE  
CFBR Structural Group, LLC  
5425 Louie Lane  
Reno, NV 89511

March 13, 2024

Roger Gravelle  
Ainsworth Associates Mechanical Engineers

Re: Orovada Community Center  
Orovada, Nevada

Dear Roger:

I am pleased to present this proposal for structural engineering services. My understanding of the project is based on our recent correspondence and the information you provided.

## **Scope of Work**

HVAC improvements are planned. The work is non-structural in nature, except that (2) new exterior air handlers will be installed on new concrete pads-on-grade outside the building. The structural scope of work will include design and detailing of the new concrete pads and anchorage of the new units (or unit curbs) to the pads. The new pads will be located adjacent to the existing building where there is currently a "planter" strip and adjacent sidewalk. This proposal assumes the sidewalk will be removed as needed at each unit so a new concrete pad can be poured that extends outward from the building as needed for the unit footprint and clearances. Any new sidewalk required around the new unit pads will be handled by the owner. Design will be in accordance with the structural requirements of the 2018 International Building Code. The following will be provided as a part of our work:

## **Basic Services Included**

### **Construction Documents**

- Prepare the following Construction Documents as required for permit / construction:
  - Structural drawings with specifications in general notes format on the drawings.
  - Structural calculations.
- Respond to permitting structural plan check comments, revising and re-issue drawings if required.

### **Bidding & Construction**

- Be available by phone or email to answer structural RFIs.
- Review structural shop drawings, submittals and special inspection / materials testing reports.

## **Exclusions / Additional Services**

The following items are excluded from our work. Some items can be provided as Additional Services if required.

- Time or travel for site visits or meetings. This proposal assumes any required design information, dimensions, etc. will be provided by others.
- Printing or shipping. This proposal assumes all deliverables will be electronic.
- Preparation of book specifications, construction cost estimates, or record / as-built drawings.
- Project management (i.e. preparation of design or construction schedules, meeting minutes,

- management of other consultants, filing or submittal of documents, etc.)
- Services related to sustainable design, LEED, etc.
- Geotechnical engineering or preparation of soils reports. This proposal assumes common local presumptive soil design values can and will be used. This proposal also assumes shallow conventionally reinforced concrete pad foundations.
- Site civil engineering (i.e. site plans, grading, utilities, etc.).
- Design or detailing of fencing or screening.
- Design or detailing for non-structural elements including their support, bracing and anchorage (i.e. MEP distribution systems like ductwork or conduit, etc.).
- Design or detailing of structural retrofits or reinforcements of the existing building. This proposal assumes the proposed improvements will be planned and designed to work with the inherent capacities and limitations of the existing building.
- Preparation of demolition documents.
- Structural surveys or studies of the existing building.
- Special inspection & materials testing.
- Preparation of shop or fabrication drawings.
- Services related to construction means and methods.
- Incorporation of phasing or alternates (additive, deductive or otherwise) into construction documents or breaking the project into multiple packages or phases during design or construction.
- Services resulting from changes to the scope or magnitude of the project, value engineering, and/or changes necessary because of cost over-runs.

**Professional Fees and Schedule**

I propose to perform the work described above in accordance with a mutually agreed upon schedule for the following fixed fee compensation:

<b>Construction Documents</b>	<b>\$5,500</b>
<b>Bidding &amp; Construction</b>	<b><u>\$1,000</u></b>
<b>Total</b>	<b>\$6,500</b>

If there are changes to the project that affect our work, this proposal may need to be revised. This proposal is valid for 30 calendar days. If this proposal is acceptable, please return a signed copy to serve as authorization to proceed with work on the project. Thank you for the opportunity to serve you on this project and please call if you have any questions.

Sincerely,

Chris Roper, PE/SE

Accepted By \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_



## Proposal

March 14, 2024

**Roger Gravelle, LEED AP BD+C, CPD**  
Ainsworth Associates Mechanical Engineers  
1420 Holcomb Avenue, Suite 201  
Reno, NV 89502

Re: Orovada Community Center  
Humboldt County  
Project Manual Preparation Assistance

Dear Roger,

Thank you for the opportunity to provide a proposal for assisting with project manual preparation. We will work with Ainsworth Associates and J.R. Builders on the tasks. The scope includes the following:

- Prepare certain Division 00 materials for the project Manual. J.R. Builders will provide the remaining materials.
- Prepare all Division 1 sections for the project manual.
- Prepare Owner-Contractor Agreement on behalf of Humboldt County.
- Assist with any addenda items related to the project manual.

Compensation:

Compensation is proposed to be the stipulated sum of Seven Thousand Five Hundred Dollars (\$7,500.00).

We appreciate your consideration of H+K Architects for the project. Please contact me with any questions or if you need additional information.

Sincerely,

Jeff Klippenstein, AIA

### H+K ARCHITECTS

5485 Reno Corporate Drive, Suite 100  
Reno, Nevada 89511-2262

P 775+332+6640  
F 775+332+6642

hkarchitects.com



# AIA® Document B105® – 2017

## Standard Short Form of Agreement Between Owner and Architect

**AGREEMENT** made as of the Eighth day of February in the year Two Thousand Twenty

Four

*(In words, indicate day, month and year.)*

**BETWEEN** the Owner:

*(Name, legal status, address and other information)*

Jesse Hill  
Commission Chair  
Humboldt County Board of County Commissioners  
50 West Fifth Street

and the Architect:

*(Name, legal status, address and other information)*

Gary Glassing  
Project Manager  
CTA, INC  
800 West main Street  
Boise, Idaho 83702

for the following Project:

*(Name, location and detailed description)*

Orovada Community Center Air Conditioning  
Orovada, Nevada  
Project will include the following:  
Cooling Design Calculations and Unit Selection

The Owner and Architect agree as follows.

**ADDITIONS AND DELETIONS:**

The author of this document has added information needed for its completion. The author may also have revised the text of the original AIA standard form. An *Additions and Deletions Report* that notes added information as well as revisions to the standard form text is available from the author and should be reviewed. A vertical line in the left margin of this document indicates where the author has added necessary information and where the author has added to or deleted from the original AIA text.

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

init.

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User Notes:

(1265398900)

## ARTICLE 1 ARCHITECT'S RESPONSIBILITIES

The Architect shall provide architectural services for the Project as described in this Agreement. The Architect shall perform its services consistent with the professional skill and care ordinarily provided by architects practicing in the same or similar locality under the same or similar circumstances on similar projects. The Architect shall perform its services as expeditiously as is consistent with such professional skill and care and the orderly progress of the Project. The Architect shall assist the Owner in determining consulting services required for the Project. The Architect's services include the following consulting services, if any:

CTA will provide Load Calculations, AC Unit Selection, Electrical Feeder/Breaker Sizing and Floor plan with Unit Location and Duct Sizing and Layout and Estimated Construction Cost

During the Design Phase, the Architect shall review the Owner's scope of work, budget and schedule and reach an understanding with the Owner of the Project requirements. Based on the approved Project requirements, the Architect shall develop a design, which shall be set forth in drawings and other documents appropriate for the Project. Upon the Owner's approval of the design, the Architect shall prepare Construction Documents indicating requirements for construction of the Project and shall coordinate its services with any consulting services the Owner provides. The Architect shall assist the Owner in filing documents required for the approval of governmental authorities, in obtaining bids or proposals, and in awarding contracts for construction.

During the Construction Phase, and only if the Owner retains the Architect to perform Construction Phase services, the Architect shall act as the Owner's representative and provide administration of the Contract between the Owner and Contractor. The extent of the Architect's authority and responsibility during construction is described in AIA Document A105™-2017, Standard Short Form of Agreement Between Owner and Contractor. If the Owner and Contractor modify AIA Document A105-2017, those modifications shall not affect the Architect's services under this Agreement, unless the Owner and Architect amend this Agreement.

## ARTICLE 2 OWNER'S RESPONSIBILITIES

The Owner shall provide full information about the objectives, schedule, constraints and existing conditions of the Project, and shall establish a budget that includes reasonable contingencies and meets the Project requirements. The Owner shall provide decisions and furnish required information as expeditiously as necessary for the orderly progress of the Project. The Architect shall be entitled to rely on the accuracy and completeness of the Owner's information. The Owner shall furnish consulting services not provided by the Architect, but required for the Project, such as surveying, which shall include property boundaries, topography, utilities, and wetlands information; geotechnical engineering; and environmental testing services. The Owner shall employ a Contractor, experienced in the type of Project to be constructed, to perform the construction Work and to provide price information.

## ARTICLE 3 USE OF DOCUMENTS

Drawings, specifications and other documents prepared by the Architect are the Architect's Instruments of Service, and are for the Owner's use solely with respect to constructing the Project. The Architect shall retain all common law, statutory and other reserved rights, including the copyright. Upon completion of the construction of the Project, provided that the Owner substantially performs its obligations under this Agreement, the Architect grants to the Owner a license to use the Architect's Instruments of Service as a reference for maintaining, altering and adding to the Project. The Owner agrees to indemnify the Architect from all costs and expenses related to claims arising from the Owner's use of the Instruments of Service without retaining the Architect. When transmitting copyright-protected information for use on the Project, the transmitting party represents that it is either the copyright owner of the information, or has permission from the copyright owner to transmit the information for its use on the Project.

## ARTICLE 4 TERMINATION, SUSPENSION OR ABANDONMENT

In the event of termination, suspension or abandonment of the Project by the Owner, the Architect shall be compensated for services performed. The Owner's failure to make payments in accordance with this Agreement shall be considered substantial nonperformance and sufficient cause for the Architect to suspend or terminate services. Either the Architect or the Owner may terminate this Agreement after giving no less than seven days' written notice if the Project is suspended for more than 90 days, or if the other party substantially fails to perform in accordance with the terms of this Agreement. Except as otherwise expressly provided herein, this Agreement shall terminate one year from the date of Substantial Completion.

Init.

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User Notes:

(1265398900)

## ARTICLE 5 MISCELLANEOUS PROVISIONS

This Agreement shall be governed by the law of the place where the Project is located. Terms in this Agreement shall have the same meaning as those in AIA Document A105-2017, Standard Short Form of Agreement Between Owner and Contractor. Neither party to this Agreement shall assign the contract as a whole without written consent of the other.

Nothing contained in this Agreement shall create a contractual relationship with, or a cause of action in favor of, a third party against either the Owner or the Architect. There are no intended third party beneficiaries of this Agreement.

The Architect shall have no responsibility for the discovery, presence, handling, removal or disposal of, or exposure of persons to, hazardous materials or toxic substances in any form at the Project site.

## ARTICLE 6 PAYMENTS AND COMPENSATION TO THE ARCHITECT

The Architect's Compensation shall be

Project Management	\$ 747.60
Site Investigation	\$ 5428.84
Engineering Report, Calculations, Cost Estimate, Drawings	\$ 2572.23
Present Final Document to Commissioners	\$1982.40
Reimbursables	\$ 400.00
<b>Total cost of design</b>	<b>\$11,131.07</b>

Eleven Thousand One Hundred Thirty-One and Seven Cents

The Owner shall pay the Architect an initial payment of Zero (\$ 0 ) as a minimum payment under this Agreement. The initial payment shall be credited to the final invoice.

Payments are due and payable upon receipt of the Architect's monthly invoice. Amounts unpaid 30 ( Thirty ) days after the invoice date shall bear interest from the date payment is due at the rate of percent ( 1.5 %) per month , or in the absence thereof, at the legal rate prevailing at the principal place of business of the Architect.

At the request of the Owner, the Architect shall provide additional services not included in Article 1 for additional compensation. Such additional services may include, but not be limited to, providing or coordinating services of consultants not identified in Article 1; revisions due to changes in the Project scope, quality or budget, or due to Owner-requested changes in the approved design; evaluating changes in the Work and Contractors' requests for substitutions of materials or systems; providing services necessitated by the Contractor's failure to perform; and the extension of the Architect's Article 1 services beyond Twelve ( 12 ) months of the date of this Agreement through no fault of the Architect.

## ARTICLE 7 OTHER PROVISIONS

*(Insert descriptions of other services and modifications to the terms of this Agreement.)*

During the term of this Agreement and following its expiration or termination for any reason, neither Owner nor Architect shall transfer, assign, convey or sublet any right, claims (including any causes of action or claims alleging breach, negligence, loss or damages arising out of this Agreement), duty or obligation under it, nor any other interest therein, without the prior written consent of the other party

The Owner understands and acknowledges that although the Instruments of Service shall be prepared within the Standard of Care stated in Article 1 of this Agreement, the Contractor may require additional information from the Architect to clarify, correct, supplement, and coordinate the design intent shown in the Construction Documents that result in increases in the Construction Cost, and that an increase in the Construction Cost does not automatically mean that the Architect has breached the Standard of Care.

Except as set forth in this Section, or as expressly agreed in writing by the Architect and Owner, no person other than the parties to this Agreement or their successors and assigns shall be a third party beneficiary of the obligations contained in this Agreement or have the right to enforce any of its provisions.

Init.

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In recognition of the relative risks and benefits of the project to both the Owner and Architect, the risks have been allocated such that Owner agrees, to the fullest extent permitted by law, and notwithstanding any other provision of this Agreement, to limit the total liability, in the aggregate, of Architect, its officers, employees, agents, and any of them, to Owner and anyone claiming by, through or under Owner, for any and all claims, losses, costs, including attorney's, court, expert witness fees, injuries or damages of any nature whatsoever arising out of, resulting from or in any way related to the Project or the Agreement, from any cause or causes, including but not limited to the negligence, professional errors or omissions, strict liability, breach of contract or warranty, express or implied, of Architect or Architect's officers, directors employees, agents or subconsultants, or any of them, shall not exceed the fee paid to the Architect under this Agreement or \$100,000.00, whichever is greater. This limitation applies to every legal theory or cause of action. Owner acknowledges that Architect has offered additional limits of liability an additional fee and Owner has elected not to purchase additional limits of liability.

This Agreement entered into as of the day and year first written above.

\_\_\_\_\_  
**OWNER (Signature)**

Jesse Hill , Commissioner Chairman  
*(Printed name and title)*

\_\_\_\_\_  
**ARCHITECT (Signature)**

Gary Glassing , PE, PM  
*(Printed name, title, and license number, if required)*

Init.  
/

## Additions and Deletions Report for AIA® Document B105® – 2017

This Additions and Deletions Report, as defined on page 1 of the associated document, reproduces below all text the author has added to the standard form AIA document in order to complete it, as well as any text the author may have added to or deleted from the original AIA text. Added text is shown underlined. Deleted text is indicated with a horizontal line through the original AIA text.

Note: This Additions and Deletions Report is provided for information purposes only and is not incorporated into or constitute any part of the associated AIA document. This Additions and Deletions Report and its associated document were generated simultaneously by AIA software at 14:40:54 ET on 03/22/2024.

### PAGE 1

**AGREEMENT** made as of the Eighth day of February in the year Two Thousand Twenty Four

...

Jesse Hill  
Commission Chair  
Humboldt County Board of County Commissioners  
50 West Fifth Street

...

Gary Glassing  
Project Manager  
CTA, INC  
800 West main Street  
Boise, Idaho 83702

...

Orovada Community Center Air Conditioning  
Orovada, Nevada  
Project will include the following:  
Cooling Design Calculations and Unit Selection

### PAGE 2

The Architect shall provide architectural services for the Project as described in this Agreement. The Architect shall perform its services consistent with the professional skill and care ordinarily provided by architects practicing in the same or similar locality under the same or similar ~~circumstances~~ circumstances on similar projects. The Architect shall perform its services as expeditiously as is consistent with such professional skill and care and the orderly progress of the Project. The Architect shall assist the Owner in determining consulting services required for the Project. The Architect's services include the following consulting services, if any:

CTA will provide Load Calculations, AC Unit Selection, Electrical Feeder/Breaker Sizing and Floor plan with Unit Location and Duct Sizing and Layout and Estimated Construction Cost

...

During the Construction Phase, and only if the Owner retains the Architect to perform Construction Phase services, the Architect shall act as the Owner's representative and provide administration of the Contract between the Owner and Contractor. The extent of the Architect's authority and responsibility during construction is described in AIA Document A105™–2017, Standard Short Form of Agreement Between Owner and Contractor. If the Owner and

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Contractor modify AIA Document A105–2017, those modifications shall not affect the Architect’s services under this Agreement, unless the Owner and Architect amend this Agreement.

PAGE 3

Nothing contained in this Agreement shall create a contractual relationship with, or a cause of action in favor of, a third party against either the Owner or the Architect. There are no intended third party beneficiaries of this Agreement.

...

The Architect’s Compensation shall be:

...

<u>Project Management</u>	<u>\$ 747.60</u>
<u>Site Investigation</u>	<u>\$ 5428.84</u>
<u>Engineering Report, Calculations, Cost Estimate, Drawings</u>	<u>\$ 2572.23</u>
<u>Present Final Document to Commissioners</u>	<u>\$1982.40</u>
<u>Reimbursables</u>	<u>\$ 400.00</u>
<b><u>Total cost of design</u></b>	<b><u>\$11,131.07</u></b>

Eleven Thousand One Hundred Thirty-One and Seven Cents

The Owner shall pay the Architect an initial payment of Zero (\$ 0 ) as a minimum payment under this Agreement. The initial payment shall be credited to the final invoice.

~~The Owner shall reimburse the Architect for expenses incurred in the interest of the Project, plus percent ( %).~~

Payments are due and payable upon receipt of the Architect’s monthly invoice. Amounts unpaid 30 ( Thirty ) days after the invoice date shall bear interest from the date payment is due at the rate of percent ( 1.5 %) per month, or in the absence thereof, at the legal rate prevailing at the principal place of business of the Architect.

At the request of the Owner, the Architect shall provide additional services not included in Article 1 for additional compensation. Such additional services may include, but not be limited to, providing or coordinating services of consultants not identified in Article 1; revisions due to changes in the Project scope, quality or budget, or due to Owner-requested changes in the approved design; evaluating changes in the Work and Contractors’ requests for substitutions of materials or systems; providing services necessitated by the Contractor’s failure to perform; and the extension of the Architect’s Article 1 services beyond Twelve ( 12 ) months of the date of this Agreement through no fault of the Architect.

...

During the term of this Agreement and following its expiration or termination for any reason, neither Owner nor Architect shall transfer, assign, convey or sublet any right, claims (including any causes of action or claims alleging breach, negligence, loss or damages arising out of this Agreement), duty or obligation under it, nor any other interest therein, without the prior written consent of the other party

The Owner understands and acknowledges that although the Instruments of Service shall be prepared within the Standard of Care stated in Article 1 of this Agreement, the Contractor may require additional information from the Architect to clarify, correct, supplement, and coordinate the design intent shown in the Construction Documents that result in increases in the Construction Cost, and that an increase in the Construction Cost does not automatically mean that the Architect has breached the Standard of Care.

Except as set forth in this Section, or as expressly agreed in writing by the Architect and Owner, no person other than the parties to this Agreement or their successors and assigns shall be a third party beneficiary of the obligations contained in this Agreement or have the right to enforce any of its provisions.

In recognition of the relative risks and benefits of the project to both the Owner and Architect, the risks have been allocated such that Owner agrees, to the fullest extent permitted by law, and notwithstanding any other provision of

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User Notes:

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this Agreement, to limit the total liability, in the aggregate, of Architect, its officers, employees, agents, and any of them, to Owner and anyone claiming by, through or under Owner, for any and all claims, losses, costs, including attorney's, court, expert witness fees, injuries or damages of any nature whatsoever arising out of, resulting from or in any way related to the Project or the Agreement, from any cause or causes, including but not limited to the negligence, professional errors or omissions, strict liability, breach of contract or warranty, express or implied, of Architect or Architect's officers, directors employees, agents or subconsultants, or any of them, shall not exceed the fee paid to the Architect under this Agreement or \$100,000.00, whichever is greater. This limitation applies to every legal theory or cause of action. Owner acknowledges that Architect has offered additional limits of liability an additional fee and Owner has elected not to purchase additional limits of liability.

**PAGE 4**

Jesse Hill , Commissioner Chairman

Gary Glassing , PE, PM

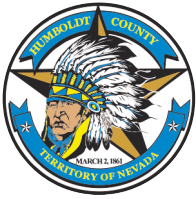
## **Certification of Document's Authenticity** **AIA® Document D401™ – 2003**

I, \_\_\_\_\_, hereby certify, to the best of my knowledge, information and belief, that I created the attached final document simultaneously with its associated Additions and Deletions Report and this certification at 14:40:54 ET on 03/22/2024 under Order No. 3104239063 from AIA Contract Documents software and that in preparing the attached final document I made no changes to the original text of AIA® Document B105™ – 2017, Standard Short Form of Agreement Between Owner and Architect, other than those additions and deletions shown in the associated Additions and Deletions Report.

\_\_\_\_\_  
*(Signed)*

\_\_\_\_\_  
*(Title)*

\_\_\_\_\_  
*(Dated)*



# HUMBOLDT COUNTY

50 W. 5<sup>th</sup> Street  
Winnemucca, Nevada 89445  
www.humboldtcountynev.gov

## AGENDA REQUEST FORM

**DATE:** March 21, 2024  
**TO:** County Commission  
**FROM:** Kevin Pasquale, District Attorney  
**SUBJECT:** Waiver of Attrition Policy

**REQUESTED AGENDA DATE:** April 1, 2024

---

### **SUMMARY AND BACKGROUND:**

We received notice that a Caseworker II with the Child Support Division will be resigning as she and her family are relocating. Due to the caseload currently being handled by the Child Support Division, a vacant Caseworker position would be a burden to the office and would delay the services provided to the public.

### **WHY ARE YOU BRINGING THIS BEFORE THE BOARD NOW:**

We are requesting to waive the attrition policy in order to fill the Caseworker position within the Child Support Division of the District Attorney's Office. This individual played an integral role in the Child Support Office as she is the most knowledgeable with the NV Kids Program so we would like to have the new person sit with her to be trained.

### **PREVIOUS ACTION:**

N/A

### **HAS DISTRICT ATTORNEY REVIEWED AGREEMENT/CONTRACT IF APPLICABLE:**

N/A

### **FISCAL IMPACT IF APPLICABLE:**

N/A

### **RECOMMENDATION:**

Approve the request to waive the attrition policy for the Caseworker I/II position in the Child Support Division of the District Attorney's Office.

### **LIST SUPPORTING DOCUMENTS IF APPLICABLE:**

N/A

### **POSSIBLE MOTION:**

Move to approve the request to waive the attrition policy for the Caseworker I/II position in the Child Support Division of the District Attorney's Office.



# HUMBOLDT COUNTY

50 W. 5<sup>th</sup> Street  
Winnemucca, Nevada 89445  
[www.humboldtcountynev.gov](http://www.humboldtcountynev.gov)

## STAFF REPORT

**DATE:** Friday, March 22, 2024  
**TO:** County Commission  
**FROM:** Dan Ferraro, Public Works Director  
**SUBJECT:** Gold Country Water change in Certified Operator  
**REQUESTED AGENDA DATE:** 4/1/2024

---

### **SUMMARY**

Public Works/Gold Country Water is requesting to solicit contract work from Larry Grant with Grant's H2O LLC, as our Certified Operator for Gold Country Water System.

### **WHY ARE YOU BRINGING THIS BEFORE THE BOARD NOW:**

SPB, Kirk Peterson, has resigned as the certified operator for Gold Country Water System. A certified water operator Grade D2/T1 must be listed on our water systems for regulatory compliance. If this compliance is not met, the County will incur fines for every day a certified operator is not listed with the water system.

### **PREVIOUS ACTION**

None

### **BACKGROUND**

On March 12, 2024, an email was received from SPB with an attached letter of resignation from SPB, Kirk Peterson, for Gold Country Water System. A certified water operator with at least a Grade D2/T1 must be listed on our water systems for regulatory compliance. If this compliance is not met, the County will incur fines for every day a certified operator is not listed with the water system. Our employed operators are not currently Grade D2, however, is scheduled to test for the Grade D2/T2 in June 2024. Larry Grant was referred by Nevada Rural Water Association as a certified water operator that manages small systems in Hawthorne and Round Mountain. Staff met with Mr. Grant on March 22, 2024 and he is quite knowledgeable and willing to take on the role as certified operator for Gold Country Water until such time that our staff has the credentials to be listed as the certified operator.

### **FISCAL IMPACT**

Gold Country Water System already incurs the cost of SPB's, Kirk Peterson, services and will continue to need these services until such time that we employ a D2 operator. Grant's H2O LLC fee is \$1500/month to manage Gold Country Water System as the certified operator.

**RECOMMENDATION**

It is recommended to approve the contract work with Grant’s H2O, LLC, Larry Grant, OP 01809, as the Certified Operator for Gold Country Water System, to allow the Public Works Department to continue the level of service currently provided for Gold Country Water System.

**LIST SUPPORTING DOCUMENTS IF APPLICABLE:**

N/A

**POSSIBLE MOTION**

Should the Board agree with Staff’s recommendation; a possible motion would be: “Move to approve the contract work with Grant’s H2O, LLC, Larry Grant, OP 01809, as the Certified Operator for Gold Country Water System.”



# HUMBOLDT COUNTY

50 W. 5<sup>th</sup> Street  
Winnemucca, Nevada 89445  
[www.hcnv.us](http://www.hcnv.us)

## STAFF REPORT

**DATE:** Tuesday, March 19, 2024  
**TO:** County Commission  
**FROM:** Joaquin Padilla, Facility Operations  
**SUBJECT:** Waiver of Attrition Policy

**REQUESTED AGENDA DATE:** April 1, 2024

---

### **SUMMARY**

Facility Operations is requesting a waiver of the Attrition Policy to proceed with filling a Grounds & Parks Maintenance Worker II vacancy within the department.

### **WHY ARE YOU BRINGING THIS BEFORE THE BOARD NOW:**

For approval to accept Facility Operations to waive the Attrition Policy to proceed with filling a Grounds & Parks Maintenance Worker II vacancy within the department.

### **PREVIOUS ACTION**

None

### **BACKGROUND**

Facility Operations is currently down a Grounds & Parks Maintenance Worker II position. This is a vital position within the Facility Operations Department and the County. They are responsible for keeping up with full range landscaping and semi-skilled facility maintenance duties if assigned.

### **FISCAL IMPACT**

This position is currently budgeted in the Facility Operations Department.

### **RECOMMENDATION**

It is recommended that this request to approve a waiver of the Attrition Policy be granted to allow Facility Operations Department to proceed with filling a Grounds & Parks Maintenance II vacancy.

### **LIST SUPPORTING DOCUMENTS IF APPLICABLE:**

N/A.

### **POSSIBLE MOTION**

Motion to approve Facility Operation's request, as presented, to accept a waiver of the Attrition Policy for Facility Operations to proceed with filling a Grounds & Parks Maintenance Worker II.



# HUMBOLDT COUNTY

50 W. 5<sup>th</sup> Street  
Winnemucca, Nevada 89445  
[www.hcnv.us](http://www.hcnv.us)

## STAFF REPORT

**DATE:** Tuesday, March 19, 2024  
**TO:** County Commission  
**FROM:** Joaquin Padilla, Facility Operations  
**SUBJECT:** Request for Approval for A1 Commercial to Order Replacement Parts for the Main Air Handling HVAC Unit AHU-F in the Courthouse for the Second Floor.

**REQUESTED AGENDA DATE:** April 1, 2024

---

### SUMMARY

Facility Operations is requesting approval for A1 Commercial to order replacement parts for the main air handling HVAC unit AHU-F in the Courthouse for the second floor.

### WHY ARE YOU BRINGING THIS BEFORE THE BOARD NOW:

For approval for A1 Commercial to order replacement parts for the main air handling HVAC unit AHU-F in the Courthouse for the second floor in an amount not to exceed \$17,941.00. Per County Manager Don Kalkoske, this expenditure is a necessity and is urgent that it be repaired as quickly as possible. Based on the previous and current work being performed by A1 Commercial services, there was no quote or proposal provided for the parts or services. The purchase of the replacement parts was a verbal approval for expedited purposes. This project has already been completed and included \$2,650.00 for the emergency call out, a total project invoice of \$20,591.00.

### PREVIOUS ACTION

None

### BACKGROUND

Over the holiday weekend in January, several reports came in that there were severe amounts of dust that had accumulated on desks, counters, and floors. Facility Operations investigated some possible issues, and they found that the main air handling HVAC unit AHU-F for the second floor of the Courthouse was making extremely loud noises and vibrating excessively. A1 was contacted about the issues and found that the unit had sustained a catastrophic bearing failure. Upon more inspection the unit fan shaft, fan housing, both drive end and opposite drive fan shaft bearings, blower wheels, fan discharging air valve plate and duct turning vanes were all damaged. Facility Operations Manager, Joaquin Padilla, advised County Manager, Don Kalkoske, of the founded issues and was able to show Mr. Kalkoske the issues as well. It was then verbal approval was given to order the replacement parts. Parts ordered and provided by A1 included one (1) new custom built fan shaft, two (2) new OEM heavy duty fan wheels, fabricated

new fan shaft bearing mounting plates, two (2) new industrial rated fan shaft bear assemblies and new fan belts. This project has already been completed and purchased.

**FISCAL IMPACT**

Expenditure of an amount not to exceed \$20,591.00 from the approved 2023-2024 fiscal year budget for the Facility Operations Department.

**RECOMMENDATION**

It is recommended that this request for approval for A1 Commercial to order replacement parts for the main air handling HVAC unit AHU-F in the Courthouse for the second floor, be approved.

**LIST SUPPORTING DOCUMENTS IF APPLICABLE:**

A1 Commercial Services invoice for ordered parts and labor for troubleshooting.

**POSSIBLE MOTION**

Motion to approve Facility Operation's request, as presented, to accept the proposal for approval for A1 Commercial to order replacement parts for the main air handling HVAC unit AHU-f in the Courthouse for the second floor in an amount not to exceed \$20,591.00.

A-1 Commercial Service Company, Inc.

# Invoice

1195 Reese Way  
 Reno, NV 89521-8866

DATE	INVOICE NO.
1/29/2024	13106

BILL TO
HUMBOLDT COUNTY NV BOARD OF COMMISSIONERS Director of Buildings & Grounds ATTN: Joaquin Padilla 25 West 4th Street Winnemucca, NV 89445

PERTINENT INFORMATION
Nevada Contractors License # 0044144 Email: a1commercialservice@gmail.com 24 Hour Cell Phone: 775-287-1163

P.O. NO.	TERMS	JOB NAME
Verbal Joaquin	Due on receipt	Court House AHU-F

DESCRIPTION	AMOUNT
Emergency call out by Joaquin that the main Air Handling HVAC unit AHU-F for the 2nd floor of the Humboldt County Court House was making extremely loud noise and vibrating excessively - drove to jobsite and found AHU-F for the 2nd floor Court Rooms, Judges Chambers, Law Library and offices had sustained a catastrophic bearing failure. Inspect and found damaged unit fan shaft (fan shaft end was cut off), fan housing, both drive end and opposite drive end fan shaft bearings, blower wheels, fan discharge air volute plate and duct turning vanes. Secured AHU-F, gathered information for replacement of parts and estimated parts lead time. Received verbal approval from Joaquin to locate and order one (1) new fan shaft (custom built), two (2) new OEM heavy duty rated fan blower wheels, both fan shaft bearings (with grease fittings), bearing mounting plates that had to be custom fabricated, fan drive belts and expedited freight as necessary. Upon receiving new fan shaft, Humboldt County maintenance personnel assisted with disassembly of unit, removing broken fan shaft, damaged fan housing parts, damaged blower wheel parts and shaft bearings. Cleaned damaged parts out of fan chamber and discharge air duct. Furnish and install, with Humboldt County maintenance personnel assistance, new fan shaft, new bearing mounting plates, new fan shaft bearings and fan belts. Installed one of the existing fan blower wheels on the new fan shaft so that AHU-F could operate at 50% air volume while waiting for remainder of necessary parts. Start AHU-F at 50% capacity, check and monitor operation of unit to ensure that it was operating within the manufactures specifications and guidelines at current capacity thereby eliminating the need of additional rental air handling equipment to obtain 2nd floor comfort levels.	2,650.00
Parts ordered and provided; including one (1) new custom built fan shaft, two (2) new OEM heavy duty fan wheels, fabricated new fan shaft bearing mounting plates, two (2) new industrial rated fan shaft bear assemblies and new fan belts.	15,781.00
EXPEDITE INBOUND FREIGHT:	2,160.00
NOTE: Humboldt County maintenance personnel will perform necessary work to install new fan wheels when they arrive at jobsite.	

Thank you for your business, please remit to above address.	<b>Total</b>	\$20,591.00
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# HUMBOLDT COUNTY

50 W. 5<sup>th</sup> Street  
Winnemucca, Nevada 89445  
[www.humboldtcountynev.gov](http://www.humboldtcountynev.gov)

## AGENDA REQUEST FORM

**DATE:** Tuesday, March 19, 2024  
**TO:** County Commission  
**FROM:** Jessica Anderson – Humboldt County Library Director

**SUBJECT:** Request for waiver of Attrition Policy

**REQUESTED AGENDA DATE:** April 1, 2024

---

### **SUMMARY**

A request from the Humboldt County Library Director for approval of a waiver of the Attrition Policy.

### **WHY ARE YOU BRINGING THIS BEFORE THE BOARD NOW:**

The position of Library Assistant has recently been made vacant as of March 19, 2024. The Main Library in Winnemucca employs 6 full time staff members and 2 Management. The Main Library is operational with night & weekend hours, Monday-Saturday. Staff members work in teams of 2 to cover nights and weekends so we can always have 2 staff members in the library during public hours.

### **PREVIOUS ACTION**

The Commission approved a waiver for a Library assistant position March 18, 2024. This is another library assistant position that was just recently made vacant

### **BACKGROUND**

Over the years the Library has gone from 14 FTE staff to our current 12 FTE staff as we have used the attrition policy to cut positions, and combine and reassign duties.

### **FISCAL IMPACT**

The funds for this position are budgeted for in FY2024

### **RECOMMENDATION**

It is recommended that a waiver to the Attrition Policy be granted to allow the Library to continue service.

### **LIST SUPPORTING DOCUMENTS IF APPLICABLE:**

No documentation submitted

### **POSSIBLE MOTION:**

To approve the waiver of the attrition policy for the Humboldt County Library for a Library Assistant.



# HUMBOLDT COUNTY

50 W. 5<sup>th</sup> Street  
Winnemucca, Nevada 89445  
www.humboldtcountynv.gov

## STAFF AGENDA REQUEST

**DATE:** March 21, 2024  
**TO:** County Commission  
**FROM:** Mike DeTullio, Director of Technology Services Department  
**SUBJECT:** Request for Waiver of the Humboldt County Attrition Policy  
**REQUESTED AGENDA DATE:** April 1, 2024

---

### **SUMMARY AND BACKGROUND:**

The Technology Services Department currently has a Technology Services Technician position vacant as of March 22, 2024, due to a staff termination.

This vacancy could adversely affect the production and efficiency of the department as there are limited other staff members to share the responsibilities of this position. While our team will handle the situation as well as we can with the personnel on hand, filling this vacancy will be instrumental in avoiding any lapses in production due to leave or other ongoing projects. Leaving this position unfilled will likely lead to postponed or delayed maintenance, repairs and special projects and/or cause the department to expend overtime pay funds that have not been budgeted for.

### **WHY ARE YOU BRINGING THIS BEFORE THE BOARD NOW:**

To request a waiver of the 120 day vacancy Humboldt County Attrition Policy.

### **PREVIOUS ACTION:**

None

### **HAS DISTRICT ATTORNEY REVIEWED AGREEMENT/CONTRACT IF APPLICABLE:**

N/A

### **FISCAL IMPACT IF APPLICABLE:**

This position is a budgeted position approved for fiscal year 2023-2024 for the Computer Systems Department, 008.

### **RECOMMENDATION:**

It is recommended that the Technology Services Department's request to waive the 120 day vacancy attrition policy be approved.

**LIST SUPPORTING DOCUMENTS IF APPLICABLE:**

None

**POSSIBLE MOTION:**

Motion to approve the Technology Services Department's request to waive the Humboldt County Attrition Policy.



# HUMBOLDT COUNTY

50 W. 5<sup>th</sup> Street  
Winnemucca, Nevada 89445  
www.humboldtcountynev.gov

## STAFF AGENDA REQUEST

**DATE:** March 21, 2024  
**TO:** County Commission  
**FROM:** Mike DeTullio, Director of Technology Services Department  
**SUBJECT:** Approval of New Position – Technology Services Coordinator

**REQUESTED AGENDA DATE:** April 1, 2024

---

### **SUMMARY AND BACKGROUND:**

The Technology Services Department is seeking approval of a new position of Technology Services Department Coordinator.

This has been a position considered by the Technology Services Department for the past few years. By approving this position, it will realign paygrade steps within the department and provide the technicians with an opportunity for advancement in their careers. The Human Resources Director advised this position is consistent with other tier III counties in the State of Nevada and would be an exempt position in the HCME120 pay range at the annual rates between \$70,692.16 to \$106,060.56.

### **WHY ARE YOU BRINGING THIS BEFORE THE BOARD NOW:**

For approval of the addition of the new position of Technology Services Coordinator to the available positions with the Technology Services Department.

### **PREVIOUS ACTION:**

None

### **HAS DISTRICT ATTORNEY REVIEWED AGREEMENT/CONTRACT IF APPLICABLE:**

N/A

### **FISCAL IMPACT IF APPLICABLE:**

There would be no immediate fiscal impact to this approval as it is intended to give the Technology Services Technicians a position to advance to if certain qualifications and conditions are met. If this position was filled, the fiscal impact of this approval would actually be a savings to the department as it does not intend to fill the Technology Service Manager vacancy which is classified in the HCME 140 pay range at the rates of \$81,279.94 to \$111,761.56.

### **RECOMMENDATION:**

It is recommended that the Technology Services Coordinator position be approved for the Technology Services Department at the proposed pay range and rates.

**LIST SUPPORTING DOCUMENTS IF APPLICABLE:**

Position description.

**POSSIBLE MOTION:**

Motion to approve the new position of Technology Services Coordinator, as present, for the Technology Services Department at the proposed pay range and rates. [Click or tap here to enter text.](#)

Range: HCME 120  
 Date Established:  
 Date Revised: N/A  
 Last Title Change: N/A  
 FLSA: Exempt  
 Probationary Period: 1 year  
 Safety Sensitive: Yes

DEFINITION:

Under general supervision of the Technology Services Manager and/or Director, performs entry-level departmental management functions such as coordinating staff coverage, assignment of technician duties, project coordination, system design, technical oversight for installation, repair, and maintenance of computers, peripherals, network equipment and other associated electronics for Humboldt County & the Public Safety Communications System and other agencies; and performs other work as assigned.

DISTINGUISHING CHARACTERISTICS:

Technology Services Coordinator is the entry level class in the management tract of the Technology Services Department. Initially under close supervision, incumbent provides technical leadership to the Technology Services Technicians and coordinates day-to-day operations for the Technology Services Department. The Technology Services Coordinator may oversee projects taken on by the Technology Department. Technology Services Coordinator also maintains computers, networking, communications, TV translators and keeping records and ordering components/supplies. (HCG 29)

Technology Services Technician III is the top of the working level class of the Technology Services Technician series, fully competent to independently perform a variety of higher-level technical functions without direct supervision. This position is primarily responsible for all technical aspects of their assigned Division. Employees in this class receive only occasional instruction or assistance as new or unusual situations arise. (HCG 29)

EXAMPLES OF DUTIES:

The duties listed below are examples of the work typically performed by an employee in this class. An employee may not be assigned all duties listed and may be assigned duties which are not listed below. *Marginal duties* (shown in *italics*) are those which are least likely to be essential functions for any single position in this class.

1. Provide technical leadership to Technology staff and assign daily duties.
2. Makes sure all employees meet training requirements and attend training classes.
3. Schedules maintenance and repair activities, organizes and prioritizes work to be done.
4. Schedule employees to cover off hours support. Plan support for outages affecting Public Safety Communications and the County Network.
5. Perform project coordination and management duties for Technology Services projects.
6. Coordinate the design of County-wide networks supporting public safety, TV translators, County PC's and TV translator systems and components consisting of complex electronic equipment for County departments and other approved agencies (equipment such as, but not limited to: handheld and mobile two way radios; vehicle lighting and siren systems; computers, network equipment, routers, firewalls, switches; dispatch consoles with remote network radio consoles; data radio networks; VOIP & ROIP networks; controller paging encoders; transmitters; interfaces to CAD dispatch and weather monitoring systems; TV and FM radio transmitters, translators, and receivers; satellite receiving systems; video cameras, monitors and supporting network; analog and digital telephone systems; audio and video network recorders).
7. Serves as a technical escalation point for all divisions within the Technology Services Department (User Services, Enterprise Services, and Network Services)
8. Assigns employees to respond to service calls from customer. Assist in; determining problem(s), troubleshooting cause of network or PC, or printer, or communication system failure, explaining to customer the problem and the procedure to be followed to resolve the problem.
9. Oversees the maintenance of towers and other antenna support structures, and may install and repairs antenna systems on those structures. Maintains the physical structure of local and remote networks and microwave, communication sites by repairing, replacing, installing and maintaining structural components; installing and replacing defective and deteriorating materials; clearing the area of debris; painting the structures as needed.
10. Oversees orders for networking or communication equipment, tools and supplies for use in performing job duties.
11. Assist in emergency building maintenance and repairs at remote County facilities.
12. Operates 4-wheel and 2-wheel drive vehicles and snow cat into remote, mountainous county sites in varying weather conditions.

13. Keeps records of work completed, equipment and supplies used, and hours worked on jobs for various County departments and other agencies.
14. Reviews and give instructions for safe use of all materials, tools and equipment used.

QUALIFICATIONS FOR EMPLOYMENT:

**Knowledge and Ability:**

*Knowledge of* principles and practices of management and supervision; principles of budget preparation and administration; electronics including AC/DC principles, solid state and integrated circuit devices; microwave and multiplex principles and theories, analog and digital electronics; microprocessors, repeater states; radio systems (such as transmitters, receivers, mobile and portable radios, base station dispatch consoles); telephone systems; antenna systems; PA systems; generators and emergency power equipment; solar electric systems; processes and procedures used in circuit analysis and corrective diagnosis, modification, repair, and troubleshooting of related equipment; math including algebra and trigonometry; calibration principles and techniques; FCC rules and national electric code.

*Ability to* effectively administer departmental projects and operations consistent with County policies and goals; supervise staff; plan, direct, and evaluate the work of department staff; work effectively under the pressure of deadlines, conflicting demands, and emergencies; establish and maintain effective working relationships with all levels of County staff, elective and appointed bodies, and members of the general public; gain cooperation through discussion and persuasion; collect, interpret, and evaluate narrative and statistical data pertaining to policy, fiscal, and department operation matters; analyze policies, regulations, projects, activities, and methods; select alternatives, project the consequences of proposed actions, implement administrative policies and work programs consistent with regulations and with County policies and goals; understand, interpret, and apply laws and regulations; present findings, recommendations, and policies to individuals and groups in an understandable and persuasive manner; communicate effectively in writing on matters related to department policies, funding and operations; work independently; apply principles, analysis, and past practical experience to design, repair and/or modify Public Safety Communications/County Networks or ancillary equipment in situations which may include isolated locations without direct contact with technical assistance; read, understand and follow complex instructions and schematics in the performance of job duties; sense directions and maintain awareness of location when moving between work locations; work in high places; operate 4-wheel drive and off-road vehicles on rough terrain and slippery surfaces.

Special Requirements:

- Maintain a current and valid Nevada driver's license.
- Must pass FBI background check or local law enforcement check.
- County-wide networks for public safety communication systems must be maintained and kept functional and may require the Technology Services Coordinator to travel extensively, be on call during non-working hours including holidays, and may be required to work past regularly scheduled work hours.

Experience and Training:

Any combination of training, education and experience that would provide the required knowledge and abilities. A typical way to gain the required knowledge and ability is:

Bachelor's degree in computer science, business administration, or closely related field AND five (5) years of senior-level IT technical work experience WITH at least one (1) year in supervision or management.

OR

Ten (10) years of professional level technical or project management experience AND professional certification corresponding to duties, functions, and expertise outlined herein. Communications radio technology experience which involved computer operations, systems administration, network administration, database administration, applications analysis, assisting in design aspects of technology support systems listed herein, and information security.

OR

Two (2) years of experience as a Technology Services Technician III for the Humboldt County Technology Services Department OR Five (5) years of experience as a Technology Services Technician II for the Humboldt County Technology Services Department.

PHYSICAL DEMANDS:

Strength, dexterity, and coordination to walk over rough, uneven, rocky or slippery surfaces and use a keyboard and video display terminal for prolonged periods. Strength and stamina to lift and carry tools, materials and parts weighing from less than five to more than 50 pounds; perform repetitive motions including reaching, bending, stooping, stretching, kneeling, climbing and balancing on stairs and ladders. Manual dexterity and cognitive ability to coordinate movement of both hands to use tools, operate controls on automatic and manual mechanical devices, handle small objects with ease to complete fine tasks, and operate a computer using databases and various forms of computer software and hardware. Visual acuity sufficient to see the details and colors of small objects and printed material at arm’s length or less in a variety of lighting conditions, including bright light, low light and low visibility conditions; depth perception sufficient to make repairs and adjustments to determine position of equipment components.

In compliance with applicable disability laws, reasonable accommodations may be provided for qualified individuals with a disability who require and request such accommodations. Incumbents and individuals are encouraged to discuss potential accommodations with the employer.

WORKING CONDITIONS:

Work is performed in the following conditions:

Position functions indoors for information technology functions are in an office type environment where most work is performed at a desk. Position may occasionally be required to work in other offices as service calls require. May require work in confined spaces. Environment is generally clean with limited exposure to conditions such as dust, fumes, noise, or odors. Frequent interruptions to planned work activities occur. Occasionally may require an adjusted work schedule, overtime, and/or evening/weekend hours in order to meet deadlines or perform program tests or address/fix computer system issues.

Public safety and TV translator work is performed outdoors in environments ranging from normal to extreme weather conditions including, but not limited to, heat, rain, snow, cold, wind and dust. May work in confined spaces and high places, such as, but not limited to, the roof of a building, radio tower, or mountain top.

This job description has been approved by all pertinent levels of management:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Human Resources Director’s Name (Printed)

\_\_\_\_\_  
Human Resources Director’s Signature

Employee signature below constitutes employee's understanding of the requirements, essential functions and duties of the position.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee’s Name (Printed)

\_\_\_\_\_  
Employee’s Signature



# HUMBOLDT COUNTY

50 W. 5<sup>th</sup> Street  
Winnemucca, Nevada 89445  
www.humboldtcountynv.gov

## STAFF AGENDA REQUEST

**DATE:** March 18, 2024  
**TO:** County Commission  
**FROM:** Mike DeTullio, Director of Technology Services Department  
**SUBJECT:** Approval to Purchase Servers from Dell

**REQUESTED AGENDA DATE:** April 1, 2024

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### **SUMMARY AND BACKGROUND:**

The Technology Services Department is requesting approval to purchase two (2) servers, from Dell, in the amount of \$17,008.18.

The Technology Services Department has been working on a disaster recovery program and plan for some time and would like to complete the build out of the disaster recovery site. This purchase would allow Technology Services to move closer to that completion and would also create redundancy at the disaster recovery site as well as replacement of current aging production servers for the RIMS Computer Aided Dispatch (CAD) system. This will not only allow the dispatchers to have redundancy should the dispatch center experience a network failure, but this will also allow the Sheriff's new Mobile Command Center to access RIMS through either datacenter during a failover situation in the event of a concurrent emergency.

This purchase is being made in consideration of NRS 332.115 – Contracts not adapted to award by competitive solicitation; purchase of certain equipment by local law enforcement agency, response agency or other local governmental agency; purchase of goods commonly used by hospital. (1) Contracts which by their nature are not adapted to award by a competitive solicitation, including contracts for: (j) Equipment containing hardware or software for computers; (o) Supplies, materials, equipment or services that are available pursuant to an agreement with a vendor that has entered into an agreement with the General Services Administration or another federal governmental agency located within or outside this State ... Also, the Technology Services Department purchases all of its computer equipment directly from Dell and are purchased from them through the National Association of State Procurement Officials (NASPO) contract. Purchasing any Dell equipment through a third-party vendor will cost more. Therefore, only one quote has been obtained in support of this purchase.

### **WHY ARE YOU BRINGING THIS BEFORE THE BOARD NOW:**

For final approval to purchase two (2) servers from Dell, in the amount of \$17,008.18.

### **PREVIOUS ACTION:**

None

**HAS DISTRICT ATTORNEY REVIEWED AGREEMENT/CONTRACT IF APPLICABLE:**

N/A

**FISCAL IMPACT IF APPLICABLE:**

The fiscal impact of this purchase would be an expenditure of \$17,008.18 from the approved Technology Services – Computer Systems budget for fiscal year 2023-2024. We had budgeted \$20,000 for this expenditure.

**RECOMMENDATION:**

It is recommended this purchase be approved.

**LIST SUPPORTING DOCUMENTS IF APPLICABLE:**

Quote from Dell Computer

**POSSIBLE MOTION:**

Motion to approve the Technology Services Department's request, as presented, to purchase two (2) servers from Dell, in the amount of \$17,008.18.



## Your quote is ready for purchase.

Complete the purchase of your personalized quote through our secure online checkout before the quote expires on **Apr. 07, 2024**.

You can download a copy of this quote during checkout.

[Place your order](#)

<b>Quote Name:</b>	<b>Humboldt County Hyper V Servers</b>	Sales Rep	Cameron Brickell
<b>Quote No. Total</b>	<b>3000173369211.1</b> <b>\$17,008.18</b>	Phone	(800) 456-3355, 6179677
Customer #	145330402	Email	Cameron_Brickell@Dell.com
Quoted On	Mar. 08, 2024	<b>Billing To</b>	TECHNOLOGY SERVICES HUMBOLDT COUNTY, NV 795 FAIRGROUNDS RD WINNEMUCCA, NV 89445-2002
Expires by	Apr. 07, 2024		
Contract Name	Dell NASPO Computer Equipment PA - Nevada		
Contract Code	C000001119003		
Customer Agreement #	23026 / 99SWC-NV24-20046		
Solution ID	18873359.1		

### Message from your Sales Rep

Please use the Order button to securely place the order with your preferred payment method online. You may contact your Dell sales team if you have any questions. Thank you for shopping with Dell.

Regards,  
Cameron Brickell

### Shipping Group

Shipping To	Shipping Method
TAMMY BENDELL HUMBOLDT COUNTY, NV 795 FAIRGROUNDS RD WINNEMUCCA, NV 89445-2002 (775) 623-6400	Standard Delivery

Product	Unit Price	Quantity	Subtotal
PowerEdge R650 - [amer_r650_14796]	\$8,504.09	2	\$17,008.18

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Subtotal:	\$17,008.18
Shipping:	\$0.00
Environmental Fee:	\$0.00
Non-Taxable Amount:	\$17,008.18
Taxable Amount:	\$0.00
Estimated Tax:	\$0.00

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**Total:** \$17,008.18

**License Subtotal for Commitment Term: \$0.00**

\*Excludes Taxes



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## Shipping Group Details

### Shipping To

TAMMY BENDELL  
HUMBOLDT COUNTY, NV  
795 FAIRGROUNDS RD  
WINNEMUCCA, NV 89445-2002  
(775) 623-6400

### Shipping Method

Standard Delivery

	Unit Price	Quantity	Subtotal
<b>PowerEdge R650 - [amer_r650_14796]</b>	<b>\$8,504.09</b>	<b>2</b>	<b>\$17,008.18</b>
Estimated delivery if purchased today: Mar. 25, 2024 Contract # C000001119003 Customer Agreement # 23026 / 99SWC-NV24-20046			

Description	SKU	Unit Price	Quantity	Subtotal
PowerEdge R650 Server	210-AYJZ	-	2	-
8x2.5 Front Storage	379-BEIC	-	2	-
SAS/SATA Backplane	379-BDSS	-	2	-
No Rear Storage	379-BDTE	-	2	-
Trusted Platform Module 2.0 V3	461-AAIG	-	2	-
2.5" Chassis with up to 8 Hard Drives (SAS/SATA), 3 PCIe Slots, 2 CPU	321-BGHH	-	2	-
Intel Xeon Silver 4309Y 2.8G, 8C/16T, 10.4GT/s, 12M Cache, Turbo, HT (105W) DDR4-2666	338-CBWI	-	2	-
Intel Xeon Silver 4309Y 2.8G, 8C/16T, 10.4GT/s, 12M Cache, Turbo, HT (105W) DDR4-2666	338-CBWI	-	2	-
Additional Processor Selected	379-BDCO	-	2	-
Heatsink for 2 CPU configuration (CPU less than or equal to 165W)	412-AAVP	-	2	-
Performance Optimized	370-AAIP	-	2	-
3200MT/s RDIMMs	370-AEVR	-	2	-
RAID 5	780-BCDP	-	2	-
PERC H755 SAS Front	405-AAZB	-	2	-
Front PERC Mechanical Parts, front load	750-ACFR	-	2	-
Performance BIOS Settings	384-BBBL	-	2	-
UEFI BIOS Boot Mode with GPT Partition	800-BBDM	-	2	-
No Energy Star	387-BBEY	-	2	-
4 Standard Fans for 2 CPU	750-ADII	-	2	-
Dual, Hot-plug, Power Supply Redundant (1+1), 800W, Mixed Mode, NAF	450-AIQX	-	2	-
Riser Config 3, 3/4 Length, Full Height, 2 x16 Slots, SW GPU Capable	330-BBST	-	2	-
PowerEdge R650 Motherboard with Broadcom 5720 Dual Port 1Gb On-Board LOM	329-BFGW	-	2	-
Broadcom 57414 Dual Port 10/25GbE SFP28, OCP NIC 3.0	540-BCOC	-	2	-
Standard Bezel	325-BCHH	-	2	-
Luggage Tray x8 and x10 Chassis, R650	350-BCEI	-	2	-
BOSS-S2 controller card + with 2 M.2 480GB (RAID 1)	403-BCMB	-	2	-

BOSS Cables and Bracket for R650	403-BCNP	-	2	-
No Operating System	611-BBBF	-	2	-
No Media Required	605-BBFN	-	2	-
iDRAC9, Enterprise 15G	385-BBQV	-	2	-
Secured Component Verification	528-COYT	-	2	-
No Quick Sync	350-BBXM	-	2	-
iDRAC,Factory Generated Password	379-BCSF	-	2	-
iDRAC Service Module (ISM), NOT Installed	379-BCQX	-	2	-
iDRAC Group Manager, Disabled	379-BCQY	-	2	-
Cable Management Arm	770-BDMT	-	2	-
ReadyRails Sliding Rails Without Cable Management Arm or Strain Relief Bar	770-BECD	-	2	-
No Systems Documentation, No OpenManage DVD Kit	631-AACK	-	2	-
PowerEdge R650 Shipping	340-CUQR	-	2	-
R650 Ship 8x2.5	340-CUQO	-	2	-
R650 Dell/EMC label (BIS) for 2.5" Chassis	343-BBQY	-	2	-
PowerEdge R650 CCC Marking, No CE Marking	389-DYHX	-	2	-
Custom Configuration	817-BBBB	-	2	-
Dell Hardware Limited Warranty Plus Onsite Service	853-2137	-	2	-
ProSupport Next Business Day Onsite Service After Problem Diagnosis 3 Years	853-2147	-	2	-
ProSupport 7x24 Technical Support and Assistance 3 Years	853-2167	-	2	-
Thank you choosing Dell ProSupport. For tech support, visit <a href="http://www.dell.com/support">//www.dell.com/support</a> or call 1-800- 945-3355	989-3439	-	2	-
On-Site Installation Declined	900-9997	-	2	-
16GB RDIMM, 3200MT/s, Dual Rank	370-AEVQ	-	16	-
1.2TB Hard Drive ISE SAS 12Gbps 10k 512n 2.5in Hot-Plug	400-AVFE	-	8	-
Power Cord - C13, 3M, 125V, 15A (North America, Guam, North Marianas, Philippines, Samoa, Vietnam)	450-AALV	-	4	-
C13 to C14, PDU Style, 12 AMP, 6.5 Feet (2m) Power Cord, North America	492-BBDI	-	4	-
Broadcom 57414 Dual Port 10/25GbE SFP28 Adapter, PCIe Full Height	540-BBUJ	-	2	-

<b>Subtotal:</b>	<b>\$17,008.18</b>
<b>Shipping:</b>	<b>\$0.00</b>
<b>Environmental Fee:</b>	<b>\$0.00</b>
<b>Estimated Tax:</b>	<b>\$0.00</b>
<b>Total:</b>	<b>\$17,008.18</b>

## Important Notes

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### Terms of Sale

This Quote will, if Customer issues a purchase order for the quoted items that is accepted by Supplier, constitute a contract between the entity issuing this Quote ("Supplier") and the entity to whom this Quote was issued ("Customer"). Unless otherwise stated herein, pricing is valid for thirty days from the date of this Quote. All product, pricing and other information is based on the latest information available and is subject to change. Supplier reserves the right to cancel this Quote and Customer purchase orders arising from pricing errors. Taxes and/or freight charges listed on this Quote are only estimates. The final amounts shall be stated on the relevant invoice. Additional freight charges will be applied if Customer requests expedited shipping. Please indicate any tax exemption status on your purchase order and send your tax exemption certificate to [Tax\\_Department@dell.com](mailto:Tax_Department@dell.com) or [ARSalesTax@emc.com](mailto:ARSalesTax@emc.com), as applicable.

**Governing Terms:** This Quote is subject to: (a) a separate written agreement between Customer or Customer's affiliate and Supplier or a Supplier's affiliate to the extent that it expressly applies to the products and/or services in this Quote or, to the extent there is no such agreement, to the applicable set of Dell's Terms of Sale (available at [www.dell.com/terms](http://www.dell.com/terms) or [www.dell.com/oemterms](http://www.dell.com/oemterms)), or for cloud/as-a-Service offerings, the applicable cloud terms of service (identified on the Offer Specific Terms referenced below); and (b) the terms referenced herein (collectively, the "Governing Terms"). Different Governing Terms may apply to different products and services on this Quote. The Governing Terms apply to the exclusion of all terms and conditions incorporated in or referred to in any documentation submitted by Customer to Supplier.

**Supplier Software Licenses and Services Descriptions:** Customer's use of any Supplier software is subject to the license terms accompanying the software, or in the absence of accompanying terms, the applicable terms posted on [www.Dell.com/eula](http://www.Dell.com/eula). Descriptions and terms for Supplier-branded standard services are stated at [www.dell.com/servicecontracts/global](http://www.dell.com/servicecontracts/global) or for certain infrastructure products at [www.dellemc.com/en-us/customer-services/product-warranty-and-service-descriptions.htm](http://www.dellemc.com/en-us/customer-services/product-warranty-and-service-descriptions.htm).

**Offer-Specific, Third Party and Program Specific Terms:** Customer's use of third-party software is subject to the license terms that accompany the software. Certain Supplier-branded and third-party products and services listed on this Quote are subject to additional, specific terms stated on [www.dell.com/offeringsspecificterms](http://www.dell.com/offeringsspecificterms) ("Offer Specific Terms").

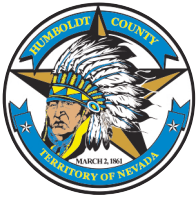
**In case of Resale only:** Should Customer procure any products or services for resale, whether on standalone basis or as part of a solution, Customer shall include the applicable software license terms, services terms, and/or offer-specific terms in a written agreement with the end-user and provide written evidence of doing so upon receipt of request from Supplier.

**In case of Financing only:** If Customer intends to enter into a financing arrangement ("Financing Agreement") for the products and/or services on this Quote with Dell Financial Services LLC or other funding source pre-approved by Supplier ("FS"), Customer may issue its purchase order to Supplier or to FS. If issued to FS, Supplier will fulfill and invoice FS upon confirmation that: (a) FS intends to enter into a Financing Agreement with Customer for this order; and (b) FS agrees to procure these items from Supplier. Notwithstanding the Financing Agreement, Customer's use (and Customer's resale of and the end-user's use) of these items in the order is subject to the applicable governing agreement between Customer and Supplier, except that title shall transfer from Supplier to FS instead of to Customer. If FS notifies Supplier after shipment that Customer is no longer pursuing a Financing Agreement for these items, or if Customer fails to enter into such Financing Agreement within 120 days after shipment by Supplier, Customer shall promptly pay the Supplier invoice amounts directly to Supplier.

Customer represents that this transaction does not involve: (a) use of U.S. Government funds; (b) use by or resale to the U.S. Government; or (c) maintenance and support of the product(s) listed in this document within classified spaces. Customer further represents that this transaction does not require Supplier's compliance with any statute, regulation or information technology standard applicable to a U.S. Government procurement.

For certain products shipped to end users in California, a State Environmental Fee will be applied to Customer's invoice. Supplier encourages customers to dispose of electronic equipment properly.

Electronically linked terms and descriptions are available in hard copy upon request.



# HUMBOLDT COUNTY

50 W. 5<sup>th</sup> Street  
Winnemucca, Nevada 89445  
www.humboldtcountynv.gov

## STAFF AGENDA REQUEST

**DATE:** March 20, 2024  
**TO:** County Commission  
**FROM:** Mike DeTullio, Director of Technology Services Department  
**SUBJECT:** Approval to Proceed with Change Order at McDermitt Public Safety Communication Site  
**REQUESTED AGENDA DATE:** April 1, 2024

---

### **SUMMARY AND BACKGROUND:**

The Technology Services Department is constructing a new Public Safety Communication Site at McDermitt, Nevada.

The Technology Services Department is responsible for designing, constructing and maintaining Public Safety Communication Sites throughout Humboldt County. Technology Services has been upgrading and/or newly constructing all of the public safety communication sites in Humboldt County. This project has been broken down into three phases. Phase I of this project was completed in November 2020 which consisted of a major upgrade to the Winnemucca Mountain site together with constructing brand new communication sites at Sports Complex and Rose Creek here in Winnemucca. Phase II consists of upgrading the following sites: Denio Summit, Eagle Creek, Double H, McDermitt and Saipan Peak. Although a large portion of the physical upgrades and replacements of buildings and towers will be time consuming and completed in phases sometime in the future, the Tait Radios and associated equipment have been purchased and are being installed, significantly increasing the currently poor radio coverage for public safety entities in the northern portion of Humboldt County. Activating the Bravo channel allowed communications to continue while upgrading the Phase II high level sites Trident, Blue Mtn, Buckskin, New York Peak.

The McDermitt public safety communication site construction is broken down into three parts, the first being the site preparation, the second being the site completion and the third being the tower and shelter equipment installation. Phases one and two have been completed. The Technology Services staff will be working on a portion of the third and last phase of construction and this request would be for approval of a change order, by Premier Wireless, to complete the remainder of phase three. CSI's Telecom Engineer, Bill Ruck, recently visited the McDermitt site in person and met with the Premier Wireless Foreman to review in detail the remaining work required to complete the last phase of construction.

This proposed expenditure is exempt from the competitive bid process, per NRS 332.115 (1) (s), Contracts which by their nature are not adapted to award by a competitive solicitation, including contracts for the design of, and equipment and services associated with, systems of communication, are

not subject to the requirements of this chapter for a competitive solicitation, as determined by the governing body or its authorized representative. Additionally, it would not be practical or efficient to put this out to bid or obtain additional quotes as Premier Wireless knows exactly what work is required to complete the final phase of construction and has not yet demobilized from the phase two site work they were contracted for.

**WHY ARE YOU BRINGING THIS BEFORE THE BOARD NOW:**

For approval of a change order, by Premier Wireless, to complete the remainder of third and final phase of construction at the McDermitt Public Safety Communication Site.

**PREVIOUS ACTION:**

None

**HAS DISTRICT ATTORNEY REVIEWED AGREEMENT/CONTRACT IF APPLICABLE:**

N/A

**FISCAL IMPACT IF APPLICABLE:**

The fiscal impact of approving this change order would be an expenditure of \$34,097.00 from the approved 2023-2024 fiscal year capital project funds budget.

**RECOMMENDATION:**

It is recommended that this request be approved.

**LIST SUPPORTING DOCUMENTS IF APPLICABLE:**

Quote for Change Order from Premier Wireless Services, LLC.

**POSSIBLE MOTION:**

Motion to approve the Technology Services Department's request, as presented, to proceed with a change order, at the McDermitt Public Safety Communication Site, by Premier Wireless, to complete the third and last phase of construction, in the amount of \$34,097.00.

Premier Wireless Services, LLC  
PO Box 2576  
Elko, NV 89803 US  
775-934-2755  
Cjimenez@pwsonline.net



## Estimate

### ADDRESS

Humboldt County  
50 W Fifth Street  
Winnemucca, NV 89445

ESTIMATE # 2465

DATE 03/13/2024

EXPIRATION DATE 03/29/2024

### PROJECT

McDermitt electric/shelter needs

DESCRIPTION	QTY	AMOUNT
Labor needed to perform the following tasks- -Completing the electrical for the shelter -Installation of all generator exhaust/intake hoods -Completing of all grounding for shelter	1	27,097.00
Material needed such as grounding components, trapeze, electrical wiring, disconnect panel, etc.	1	7,000.00
TOTAL		<b>\$34,097.00</b>

Accepted By

Accepted Date

Exclusions: Weekend/Holiday work, Weather affecting access and work conditions, Return trips to site, snow removal, Increase in material costs, Site drawings, permitting, Performing of any site surveys, damages to any material during transport, additional mobilizations, pulling of fiber, fence work, interior work, damages to existing utilities, bore pipe,



# HUMBOLDT COUNTY

50 W. 5<sup>th</sup> Street  
Winnemucca, Nevada 89445  
[www.hcnv.us](http://www.hcnv.us)

## STAFF REPORT

**DATE:** Thursday, March 21, 2024  
**TO:** County Commission  
**FROM:** Don Kalkoske, County Manager  
**SUBJECT:** Waiver of Attrition

**REQUESTED AGENDA DATE:** April 1, 2024

### **SUMMARY:**

The Building and Safety Department has a vacancy for at Building Inspector with the sudden departure of Tyler Anderson. With that, we are looking to hire this position, which depending on experience would be a Building Inspector I, II, or III.

### **WHY ARE YOU BRINGING THIS BEFORE THE BOARD NOW:**

To fill the position immediately to assure minimal impact to the community.

### **PREVIOUS ACTION:**

None

### **BACKGROUND:**

The Building Inspector is responsible for reviewing plans and inspecting building permits throughout the county, to assure compliance with applicable standards.

### **FISCAL IMPACT:**

Building Inspector I – HCG 21 - \$23.26 to \$31.96/hr or \$48,380.80 to \$66,476.80  
Building Inspector II – HCG 23 – \$25.19 to \$34.59/hr or \$52,395.20 to \$71,947.20  
Building Inspector III – HCG 27 - \$29.47 to \$40.48/hr or \$61,297.60 to \$84,198.40

### **RECOMMENDATION:**

Staff recommends approval of this request for waiver of the attrition policy.

### **LIST SUPPORTING DOCUMENTS IF APPLICABLE:**

None

### **POSSIBLE MOTION:**

Possible motion would be; “Move to approve the request to waive the attrition policy for the Building Inspector I, II or III position.”



# HUMBOLDT COUNTY

50 W. 5<sup>th</sup> Street  
Winnemucca, Nevada 89445  
[www.hcnv.us](http://www.hcnv.us)

## STAFF REPORT

**DATE:** Thursday, March 21, 2024  
**TO:** County Commission  
**FROM:** Don Kalkoske, County Manager  
**SUBJECT:** Building Official Recruitment & Hiring  
**REQUESTED AGENDA DATE:** April 1, 2024

### **SUMMARY:**

With our Building Official position being open since March 2023, and recent departure of the building inspector, the Building & Safety Department has one administrative position that is shared with the Planning Department.

### **WHY ARE YOU BRINGING THIS BEFORE THE BOARD NOW:**

To fulfill the needs of the County and its constituents.

### **PREVIOUS ACTION:**

Building Official termination 03/06/2023

### **BACKGROUND:**

The Building Official is responsible for performing all function of a rural building department.

### **FISCAL IMPACT:**

Building Official is an appointed position with a salary range of \$76,872.19 to \$113,606.70.

### **RECOMMENDATION:**

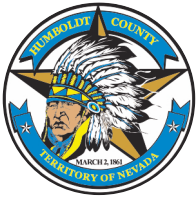
Staff recommends approval to recruit and hire a Building Official.

### **LIST SUPPORTING DOCUMENTS IF APPLICABLE:**

None

### **POSSIBLE MOTION:**

A possible motion would be; "Move to approve the request to open a recruitment to fill the Building Official vacancy."



# HUMBOLDT COUNTY

50 W. 5<sup>th</sup> Street  
Winnemucca, Nevada 89445  
[www.hcnv.us](http://www.hcnv.us)

## STAFF REPORT

**DATE:** Thursday, March 21, 2024  
**TO:** County Commission  
**FROM:** Don Kalkoske, County Manager  
**SUBJECT:** BLM Invasive Annuals Treatment MOU

**REQUESTED AGENDA DATE:** April 1, 2024

### **SUMMARY:**

Winnemucca BLM is seeking a memorandum of understanding (MOU) with Humboldt County as a Cooperating Agency for the development of the wilderness study area invasive annuals treatments environmental assessment.

### **WHY ARE YOU BRINGING THIS BEFORE THE BOARD NOW:**

According to Winnemucca BLM, this process was instigated in 2023, however the process stalled. The project is now moving forward and they are requesting this MOU.

### **PREVIOUS ACTION:**

None

### **BACKGROUND:**

The Bureau of Land Management, Winnemucca District Office (Winnemucca BLM), is currently preparing an environmental assessment (EA) that would identify impacts to environmental, economic, and social resources within the proposed project areas from implementation of invasive annual treatments in Wilderness Study Areas (WSAs) in accordance with section 3.3.1 of the BLM's National Environmental Policy Act Handbook H-1790-1. The project was proposed by Winnemucca BLM to meet the need of managing Wilderness Study Areas in accordance with BLM Manual 6330 (Management of Wilderness Study Areas) and reduce the risk of further damage to public lands by wildfire. Treatments analyzed in this EA would be implemented by Winnemucca BLM by BLM staff, contracts, agreements, or a combination of procurement methods.

With this, they are also requesting a principal contact for this. I have reached out to Brad Schultz (Coop. Extension), and he is willing to take this project on.

### **RECOMMENDATION:**

Staff recommends approval of the MOU with BLM.

### **LIST SUPPORTING DOCUMENTS IF APPLICABLE:**

MOU

### **POSSIBLE MOTION:**

A possible motion would be; "Move to approve the Memorandum of Understanding with the BLM for Cooperating Agency status, for the development of the wilderness study area invasive annuals treatments environmental assessment and allow the County Manager to sign the document."

**Cooperating Agency**  
**Memorandum of Understanding**  
For Development of the  
**Wilderness Study Area Invasive Annuals Treatments**  
**Environmental Assessment**  
Between  
**Winnemucca District**  
**Bureau of Land Management, United States Department of the Interior**  
And  
**The County of Humboldt, Nevada**

**I. Introduction**

The Humboldt County Board of Commissioners (Humboldt County) and the Bureau of Land Management (BLM), herein referred to as “the parties”, are responsible for developing and implementing land use management plans and authorizing lands actions within their respective jurisdictions.

Under the Federal Land Policy and Management Act (FLPMA) of 1976, as amended, the BLM is required to manage public lands and their various resource values, using principles of multiple use and sustained yield, to best meet the present and future needs of the American people. The term “public lands” means any land and interest in land owned by the United States within the State of Nevada and administered by the Secretary of the Interior through BLM, without regard to how the United States acquired ownership. The public lands and resources administered by the BLM were officially designated the National System of Public Lands in 2008, underscoring the landscape approach of managing the interconnected lands for multiple use.

The Bureau of Land Management, Winnemucca District Office (Winnemucca BLM), is currently preparing an environmental assessment (EA) that would identify impacts to environmental, economic, and social resources within the proposed project areas from implementation of invasive annual treatments in Wilderness Study Areas (WSAs) in accordance with section 3.3.1 of the BLM’s National Environmental Policy Act Handbook H-1790-1. The project was proposed by Winnemucca BLM to meet the need of managing Wilderness Study Areas in accordance with BLM Manual 6330 (Management of Wilderness Study Areas) and reduce the risk of further damage to public lands by wildfire. Treatments analyzed in this EA would be implemented by Winnemucca BLM by BLM staff, contracts, agreements, or a combination of procurement methods.

The proposed project would be in the following portions of six WSAs:

Disaster Peak WSA

T.47 N., R. 33 E., sec. 1-15, 22-25, 36  
T.47 N., R. 34 E., sec. 5-8, 17-20, 29-30  
T.48 N., R. 34 E., sec. 31-34

Fox Range WSA

T.30 N., R. 21 E., sec. 18, 24

T.30 N., R. 22 E., sec. 16-21, 28-29

Mount Limbo WSA

T.28 N., R. 24 E., sec. 1-3, 11-15

T.28 N., R. 25 E., sec. 7,18

T.29 N., R. 24 E., sec. 1-5, 8-10, 13-17, 20-24, 26-27, 34-40

T.30 N., R. 23.5 E., sec. 31-32

T.30 N., R. 24 E., sec. 26, 31-35

North Fork of the Little Humboldt WSA

T. 41 N., R. 43 E., sec. 1-4, 9, 11

T. 41 N., R. 44 E., sec. 3, 4, 9, 10

T. 42 N., R. 43 E., sec. 1-9, 11-17, 20-28, 33-36

T. 42 N., R. 44 E., sec. 4, 9, 16

T. 43 N., R. 42 E., sec. 1-3, 10-12, 14

T. 43 N., R. 43 E., sec. 3-5, 8-10, 15-17, 20-22, 26-36

T. 44 N., R. 42 E., sec. 35-35

T. 44 N., R. 43 E., sec. 1, 11-14, 22-27, 34

T. 44 N., R. 44 E., sec. 16, 21-23, 25-26, 33-35

Poodle Mountain WSA

T.33 N., R.20 E., sec. 1, 12

T.33 N., R.21 E., sec. 5-7

T.34 N., R. 20 E., sec. 12-13

T.34 N., R. 21 E., sec. 2-5, 7-23, 26-29

T.35 N., R. 21 E., sec. 33-35

Selenite Mountains WSA

T.32 N., R.24 E., sec. 21-22, 26-28, 33-35

The proposed Project area encompasses approximately 106,654 acres. The purpose of the Wilderness Study Area Invasive Annuals Treatment Plan is to reduce wildfire danger and restore wilderness characteristics to WSAs which have been degraded due to wildfires and invasion by invasive annual species after these areas received their special designation as WSA.

The Proposed Action would include the following project elements:

- Aerially applying herbicide to portions of the project areas where invasive annual species are prevalent.
- Aerially seeding native species to portions of the project area where bare ground exists following herbicide treatments.
- Handplanting and staking native species within select portions of the project areas where shrubs are absent.

## II. Purpose

The Purpose of this project specific MOU is to:

1. Establish and maintain coordination and cooperation between Humboldt County and Winnemucca BLM for their respective individual participation in the administration of the National Environmental Policy Act (NEPA) for the Wilderness Study Area Invasive Annuals Treatment Plan Environmental Assessment (EA). This coordination allows for BLM to use analyses and proposals provided by Humboldt County comments and resolve issues early in the NEPA process.
2. Facilitate the administration, review, and approval of the Wilderness Study Area Invasive Annuals Treatment Plan EA.

## III. Authorities

The laws and their associated implementing regulations cited below require or support this course of action.

A. The federal authorities applicable to this agreement for the BLM are:

1. The Federal Land Policy and Management Act (FLPMA) of October 21, 1976 (43 USC 1737) Section 307 (b)
2. The National Environmental Policy Act (NEPA) of 1969 (42 USC 4321 *et. seq.*)
3. The Council of Environmental Quality Regulations (40 CFR Parts 1500-1508)  
The Alternative Dispute Resolution Act (ADRA) of 1990 (5 USC 581 *et. seq.*)

B. The authorities applicable to this agreement for Humboldt County are:

1. Nevada Revised Statutes (NRS) 278.030 *et. seq.*

## IV. Guidance

A. The parties agree that the cooperating Agency relationship shall be guided by the BLM 2012 publication “A Desk Guide to Cooperating Agency Relationships and Coordination with Intergovernmental Partners.”

## V. Responsibility

A. The parties:

1. **Termination:** Either party may terminate the MOU in whole, or in part, at any time before completion of the EA. Termination must be through written request and comply with section V (D) below.
2. **Participation in Similar Activities:** Acknowledge that this instrument does not restrict the BLM or Humboldt County from participating in similar activities with other public or private agencies, organizations, and individuals.
3. **Sovereign Immunity:** Recognize and do not waive their respective sovereign immunities by entering into this MOU, and each fully retains all immunities, rights, and defenses provided by law with respect to any action occurring within the context of this MOU.
4. **Conflict Resolution:** Will attempt to resolve controversies through alternative dispute resolution methods that are mutually acceptable.

**B. The Bureau of Land Management will:**

1. Be the lead agency for the EA.
2. Identify a primary liaison for Humboldt County coordination.
3. Coordinate NEPA with the state permitting process to the extent possible.
4. Provide timely notification of deliverable due dates and public comment opportunities.
5. Ensure compliance with the NEPA and associated Council of Environmental Quality Regulations (40 CFR Parts 1500-1508).
6. Determine the scope of the EA and shall ensure environmental, economic, and social issues, effects, and reasonable alternatives are appropriately described and analyzed in the EA.
7. Provide updates and briefings, at agreed upon times, to Humboldt County.
8. Determine the extent and manner of release of data to governmental agencies and other interested parties in accordance with the Freedom of Information and Privacy act, BLM policy, and pertinent legal decisions.
9. Develop the EA schedule and advise Humboldt County of any schedule changes.

**C. Humboldt County will:**

1. Identify a principle Humboldt County contact who will serve as a liaison to the BLM. The designated principle Humboldt County contact will participate in meetings and/or conference calls and review internal documents as requested by BLM.
2. Assist in the preparation and review of the EA, as requested by the BLM.
3. Provide responses to data requests and provide review of comments within established timeframes.
4. Provide comment to BLM on issues of particular concern, if any, during the NEPA process.
5. Comment on the portions of the EA within Humboldt County's jurisdiction and expertise.
6. Prior to publication of the preliminary and final analyses, maintain the confidentiality of pre-decision work products, proprietary information, and sensitive resource data and locations.

**VI. Administration**

- A. The BLM shall timely notify Humboldt County of pertinent meetings. Meeting summaries between the parties would be prepared by the BLM. The BLM reserves the right to consult and coordinate with other federal, tribal, state, and local government agencies during the preparation of the EA.
- B. Nothing in this MOU will be construed as limiting or affecting in any way the authority or legal responsibility of Humboldt County or the BLM to perform beyond the respective authority of each, or as requiring either party to assume or expend any sum in excess of appropriations available.
- C. Amendments or supplements to this MOU may be proposed by either party and shall become effective upon written approval by both parties of such amendments or supplements.
- D. This MOU shall become effective when signed by the parties hereto. This Memorandum may be formally terminated by either party 30 days following written notice to the other of the intention to do so.

E. Each and every provision of this MOU is subject to the laws of the United States, the regulations of the Secretary of the Interior, and the laws of the State of Nevada.

In Witness whereof, the parties herein, the District Manager, Winnemucca District, Bureau of Land Management, and Humboldt County Board of Commissioners, have caused this document to be executed as of the date of the last signature shown below.

**VI: Signatures**

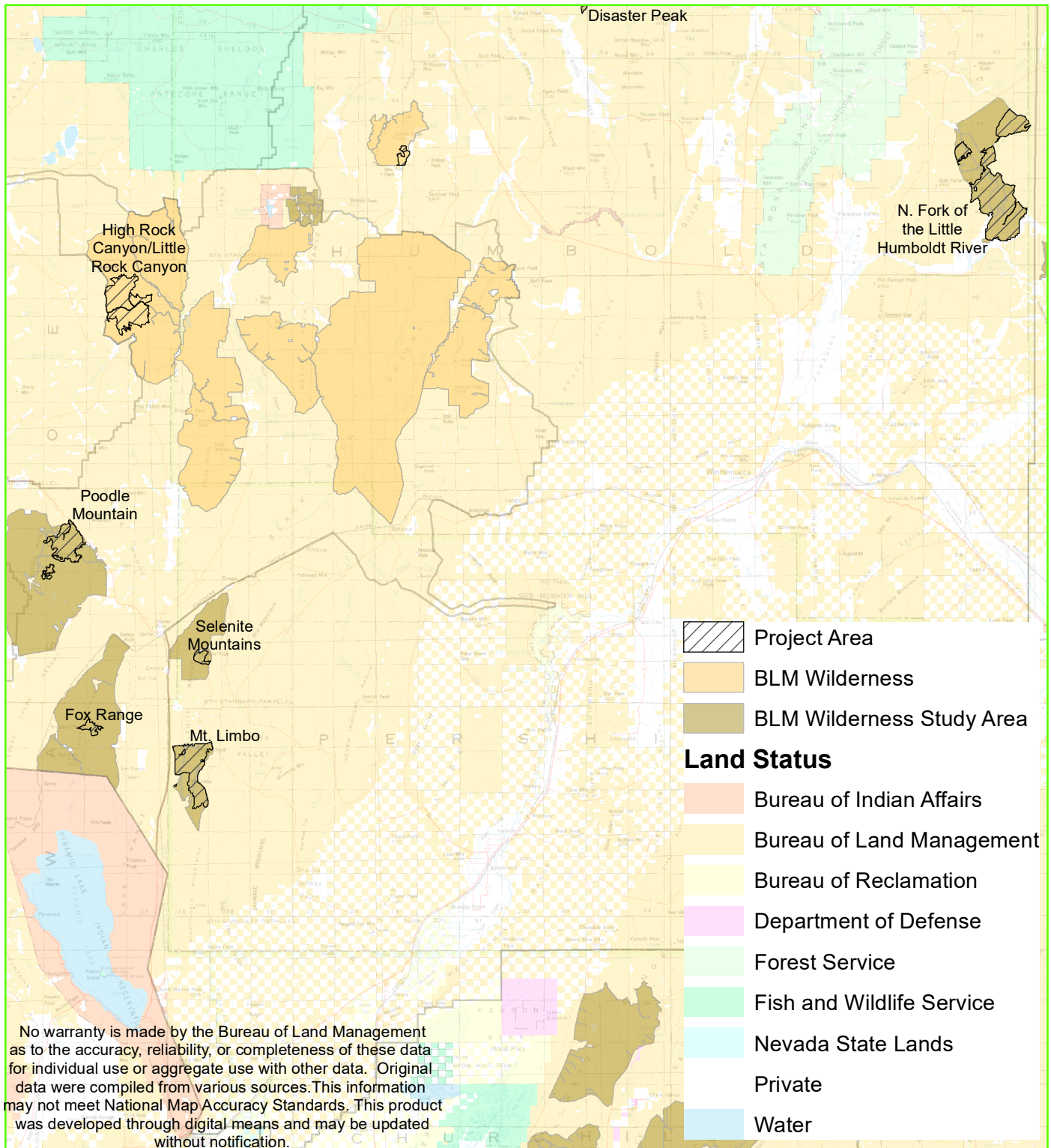
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<b>Don Kalkoske</b> <b>County Manager</b> <b>Humboldt County, Nevada</b>	<b>Date</b>
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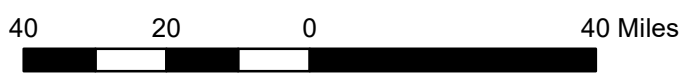
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<b>Samuel R.M. Burton</b> <b>District Manager, Winnemucca District Office</b> <b>Bureau of Land Management</b>	<b>Date</b>
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# Wilderness Study Area Invasive Annual Grass Treatments

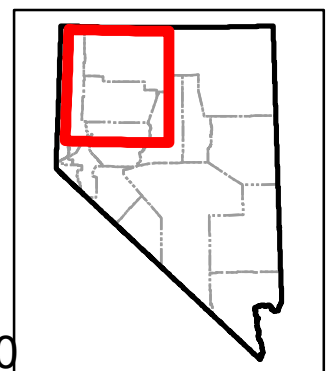


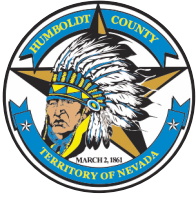
## Wilderness and WSA Project Areas



Winnemucca District  
Bureau of Land Management  
5100 E. Winnemucca Blvd  
Winnemucca, NV 89445

1:1,700,000





# HUMBOLDT COUNTY

50 W. 5<sup>th</sup> Street  
Winnemucca, Nevada 89445  
[www.hcnv.us](http://www.hcnv.us)

## STAFF REPORT

**DATE:** Thursday, March 21, 2024  
**TO:** County Commission  
**FROM:** Don Kalkoske, County Manager  
**SUBJECT:** NDF MOA for McDermitt Fire

**REQUESTED AGENDA DATE:** April 1, 2024

### **SUMMARY:**

Federal and State agencies are often able to utilize excess property programs to provide equipment to Fire Protection Agencies. To facilitate these property transfers, the Nevada Division of Forestry (NDF) requires the County to enter into a Memorandum of Agreement (MOA).

### **WHY ARE YOU BRINGING THIS BEFORE THE BOARD NOW:**

Several pieces of equipment have already been transferred to McDermitt Fire and to comply with federal regulations, a MOA shall be in place.

### **PREVIOUS ACTION:**

None

### **BACKGROUND:**

None

### **FISCAL IMPACT:**

None

### **RECOMMENDATION:**

Staff recommends approval of the MOA with NDF.

### **LIST SUPPORTING DOCUMENTS IF APPLICABLE:**

MOA

### **POSSIBLE MOTION:**

A possible motion would be; "Move to approve the Memorandum of Agreement with the Nevada Division of Forestry."

Memorandum of Agreement  
Between  
Nevada Division of Forestry  
And  
HUMBOLDT COUNTY

---

Federal Excess Personal Property Program  
and/or  
Firefighter Program – Department of Defense

WITNESSETH:

WHEREAS, the Nevada Division of Forestry (NDF) is responsible under state law 472.040 to Supervise or coordinate all forestry and watershed work on state-owned and privately owned lands, including fire control, in Nevada, working with federal agencies, private associations, counties, towns, cities or private persons; and

WHEREAS, (Humboldt County), hereinafter referred to as the Fire Protection Agency (FPA), is actively engaged in the prevention and suppression of fires and has responsibility, within authorized boundaries, for providing emergency services, or mutual agreements for providing fire emergency assistance, or training to other government agencies; and the FPA can more adequately carry out this function if additional equipment is available; and

WHEREAS, NDF has access to excess units available for fire control, or other emergency responses, through the Department of Defense (DoD), the Federal Excess Personal Property (FEPP) and/or Firefighter Program (FFP); and it has been determined to be advantageous to the State, in the proper discharge of its responsibilities, to make certain equipment available to the FPA; and

WHEREAS, NDF meets the requirements of these federal programs; and the State can acquire vehicles and equipment through these programs; and make these items available for use in all emergencies which threaten the loss or damage to life or property by fire, or other cause, or for emergency response training exercises, and

WHEREAS, The Secretary of Defense is authorized by 10 USC 2576b to transfer to firefighting agencies in the United States, personal property that is excess to the needs of the DoD and that the Secretary of Defense determines is suitable to be used by agencies in fire protection, under such terms that are described in this Memorandum of Agreement (MOA). Fire protection activities are defined as those activities performed in accordance with federal, state and local laws.

NOW THEREFORE, the parties to this Memorandum of Agreement do hereby agree as follows:

NDF AGREES TO:

1. Acquire items for fire and other emergency services use, to include DEMIL A, DEMIL Q6 and limited DEMIL Q3 inventory.
2. Make available these items, according to the terms set forth in the federal programs. These items will be on a loan basis until program requirements are met as outlined in the NDF Federal Excess Personal Property – Firefighter Property (FEPP-FFP) Handbook. ([www.fs.fed.us/managing-land/fire/fepp](http://www.fs.fed.us/managing-land/fire/fepp))

3. Administer and account for all property acquired under these programs for as long as program rules require. Acquisition and property records will be maintained for a period of seven years after disposal or return of the equipment or item.
4. Place and affix program labels on all items received under these programs plus assign and place inventory control number(s) on each item which meets any of the following criteria, 1) a current estimated value greater than \$5,000, 2) is electronic in nature, 3) is a titled item, 4) is considered rolling stock (wheeled item), or 5) has an antenna.

THE FPA AGREES TO:

1. Accept the property in the condition acquired.
2. Remove and/or cover exterior military markings and camouflage paint.
3. Items may be owned by the FPA depending on program rules and demilitarization codes after the FPA has met certain requirements. Accessories may be purchased and installed by the FPA and will remain with the FPA. The FPA may remove those added accessories prior to returning the item(s) to the State.
4. Ensure program labels and inventory control number(s) are placed on all items.
5. Place the item in-service within one year of acquisition.
6. Continue using the item for fire and emergency support for a minimum of one year after the item was placed in service and for as long as the item is required to be inventoried within the programs.
7. Provide adequate storage and maintenance of the item.
8. Provide access to, and the right to, examine all records or documents relating to, and the physical inspection of items acquired until programs requirements are met.
9. Register and license each inventoried item as covered in NDF FEPP/FFP Handbook.
10. Maintain current liability and property damage insurance for each inventoried item under these programs.
11. Return to the State any inventoried item no longer desired as required by the programs.
12. Receive prior authorization from the State of any inventoried items to be sold, cannibalized, junked, or traded.
13. To hold harmless and indemnify the Nevada Division of Forestry, its agencies, officers, agents, and employees against all claims, demands, and cause of action for death, bodily injury, or loss of or damage to property insofar as any claim, or demand or cause of action results from the performance of this MOA.

IT IS MUTUALLY AGREED:

1. Costs incurred by NDF associated with acquisition of items including transportation, labor, and or parts will be determined by NDF and, if applicable, paid by the FPA before title to said equipment is passed to the FPA.
2. Nothing herein shall be construed as obligating NDF to expend funds, now or in the future, for items acquired or disposed of under these programs.
3. No warranty of any kind is implied or associated with items acquired under these programs.
4. The control of the use of items shall be with the FPA, except during times of declared emergencies the State may request use of the items for mutual aid purposes.
5. The items will be marked indicating which program the items were acquired through.
6. Upon sale or transfer of DEMIL Q6 property to non FFP participants, the transfer must be executed in compliance with U.S. Export Control Regulations, including the Export Administration Regulations (EAR), (15 CFR Parts 730-774). Notify subsequent purchasers or transferees in writing of their responsibility to comply with U.S. export control laws and regulations.
7. DEMIL Q3 property is owned by the DoD and will never be owned by the FFP recipient.
8. Both parties shall abide by the requirements as set forth in the USDA Forest Service Standard Operating Procedures.
9. This agreement is effective on the date signed by both parties and shall continue as long as the FPA has possession of any items included in FEPMIS inventory records.
10. This agreement supersedes any MOA, or any prior agreement that is currently in effect, between said parties.
11. This Memorandum of Agreement may be cancelled by either party upon serving notice to the other. Such notice of cancellation must be in writing and cancellation will not be effective until all current inventory items in the FEPMIS records system have been returned to the NDF at no expense to the NDF.

NON-DISCRIMINATION:

NRS 613.330 Unlawful employment practices: Discrimination on basis of race, color, religion, sex, sexual orientation, gender identity or expression, age, disability, national origin.

FREEDOM OF INFORMATION ACT:

Any information furnished to the Nevada Division of Forestry under this instrument is subject to the Freedom of Information Act (FOIA) 5 U.S.C. 522.

IN WITNESS WHEREOF the parties to this Memorandum of Agreement have affixed their signature.

By: \_\_\_\_\_ Date: \_\_\_\_\_  
*Choose an item.*  
\_\_\_\_\_  
Print Name

By: \_\_\_\_\_ Date: \_\_\_\_\_  
*Choose an item. (If Applicable)*  
\_\_\_\_\_  
Print Name

By: \_\_\_\_\_ Date: \_\_\_\_\_  
NDF FEPP/FFP program Manager  
\_\_\_\_\_  
Ron Bollier  
Print Name

By: \_\_\_\_\_ Date: \_\_\_\_\_  
State Forester/Fire warden, Nevada Division of Forestry  
\_\_\_\_\_  
Kacey KC  
Print Name

Fire Protection Agency: McDermitt Volunteer Fire District

Contact Name: Dale Hartley

Mail Name: *ERROR! REFERENCE SOURCE NOT FOUND.*

Address Line 1: 200 Jaca Drive

Address Line 2: **PO 317**

City: **MCDERMITT**

State: **NV**

Postal Code: **89421**

County: **HUMBOLDT COUNTY**

Fax Number:

Email Address: **MAPREADER894@LIVE.COM**

Federal Tax ID: **88-000086**

FD Phone Number: **775-532-4140**

Fire Chief Phone Number: **775-532-4140**

Alternate Phone Number: **775-224-4107**

ISO Rating: **Pick one**

#### EQUIPMENT/VEHICLE

Type 6 Fire Engine  
2007 Ford F-550 V10 Gasoline

VIN # 1FDAF57Y38EA79928  
300 Gallon Slip on unit Mod 52 Serial #001-00  
NV EX # 80251  
Property # 031389

Type 4 Fire Truck, 2009 Navistar 7300 4X4  
Vin# 1HTWBAAL09J080882  
PP00000  
2009 Pump Unit EN#4280  
Model# FD MDL 52-500

American General 1983 Water Tender  
6X6 2.5 Ton  
Diesel  
1200 Gallon  
Vin# NK0EAN1047 NV EX# 32280  
\$30,000.00 Value AG 0001590260



# HUMBOLDT COUNTY

50 W. 5<sup>th</sup> Street  
Winnemucca, Nevada 89445  
[www.hcnv.us](http://www.hcnv.us)

## STAFF REPORT

**DATE:** Thursday, March 21, 2024  
**TO:** County Commission  
**FROM:** Don Kalkoske, County Manager  
**SUBJECT:** NDOW County Advisory Board Assignment

**REQUESTED AGENDA DATE:** April 1, 2024

### **SUMMARY:**

Each of Nevada's 17 counties have a County Advisory Board (CAB) to manage wildlife. County commissioners appoint qualified persons to the board who are residents of the county. The boards gather information and opinions from the public and submit recommendations for the management of wildlife to be considered by the Nevada Board of Wildlife Commissioners, during its deliberation on regulations.

### **WHY ARE YOU BRINGING THIS BEFORE THE BOARD NOW:**

To seat a representative to begin attending the CAB meetings.

### **PREVIOUS ACTION:**

None

### **BACKGROUND:**

CAB meetings are typically held the Monday prior to Nevada Board of Wildlife Commissioners meetings. See attached schedule of 2024 – 2025 meetings.

### **FISCAL IMPACT:**

None

### **RECOMMENDATION:**

Staff recommends assignment of a commissioner or other qualified person to this board.

### **LIST SUPPORTING DOCUMENTS IF APPLICABLE:**

None

### **POSSIBLE MOTION:**

A possible motion would be; "Move to appoint \_\_\_\_\_Name\_\_\_\_\_, to the Humboldt County Advisory Board for the Nevada Board of Wildlife Commissioners."

**Nevada Board of Wildlife Commissioners**  
**2024 and 2025 Meeting Schedules**

<b>2024 Meeting Schedule</b>		
January 26 and 27, 2024	Reno	Big Game Seasons and Regulations
March 8 and 9, 2024	Las Vegas	Set/Revise Waterfowl Season and Limits; Legislative Items
May 3 and 4, 2024	Reno	Big Game Status Report and Quota Setting
June 28 and 29, 2024	Lovelock	Set/Revise Upland Game and Furbearer Seasons and Limits
August 16 and 17, 2024	Elko	
September 27 and 28, 2024	Las Vegas	Set/ Revise Biennial Fishing Regulations
November 8 and 9, 2024	Reno	Policy, Regulations, and Program Reports

<b>2025 Meeting Schedule</b>		
January 24 and 25, 2025	Reno	Big Game Seasons and Regulations
March 7 and 8, 2025	Las Vegas	Set/Revise Waterfowl Season and Limits; Legislative Items
April - single date TBD	Virtual	Legislative items if deemed necessary by the Commission
May 2 and 3, 2025	Reno	Big Game Status Report and Quota Setting
June 20 and 21, 2025	Yerington	Set/Revise Upland Game and Furbearer Seasons and Limits
August 15 and 16, 2025	Ely	
September 26 and 27, 2025	Las Vegas	Set/ Revise Biennial Fishing Regulations
November 7 and 8, 2025	Reno	Policy, Regulations, and Program Reports