



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 a 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

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 agendized 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 McDermit 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.

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

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.

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.

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.

07/10/2023

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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 16th, June 17th, July 21st, July 22nd, August 18th, August 19th, September 8th and September 9th.

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

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 24th 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 23rd and will attend the July 24th 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:  Clerk APPROVED:  Chairman

(Minutes approved by the Commission and signed by the Chairman on 4-1-24)

Notice of Public Meeting
Humboldt County Board of Commissioners Regular Meeting
Monday, July 10, 2023
8:30 AM

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

VIRTUAL AND IN PERSON
Commission Meeting Room is Open

FOR TELECONFERENCE OR VIDEO CONFERENCE ACCESS

Click here to join the meeting:

JOIN

Or by phone: +1 775-446-0241, Conference ID: 486 569 127#

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.

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; February 21, 2023; March 20, 2023; March 27 & 28, 2023 (Budget Hearing); May 1, 2023, and June 20, 2023. Discussion and possible action.

4.A) Minutes - 06202023

HCC062023unapprovedUNOFFICIAL.pdf

5. APPROVAL OF EXPENDITURES FOR HUMBOLDT COUNTY FOR JUNE 20, 2023 THROUGH JULY 10, 2023 (FOR POSSIBLE ACTION)
6. DISCUSSION TO POSSIBLY HIRE INDEPENDENT CONSULTANT TO PROVIDE OPINION OF PHYSICAL, LEGAL AND ENVIRONMENTAL IMPACTS OF PROPOSED TRANSLOADING FACILITY NEAR AIRPORT (FOR POSSIBLE ACTION)

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. Discussion and possible action.

7. 9:00 A.M. PUBLIC HEARING: (FOR POSSIBLE ACTION)

Consideration, discussion and possible approval of the following:

- A. **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. Discussion and possible action.

7.A) Notice of Public Hearing - RH-23-22

Notice of Public Hearing - RH-23-22.pdf

8. SIXTH JUDICIAL DISTRICT SPECIALTY COURTS: REQUEST TO PURCHASE A PRIVACY POD (FOR POSSIBLE ACTION)

Consideration, discussion and possible approval of a request to purchase a privacy pod to accommodate participant's 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. Discussion and possible action.

- 8.A) Staff Memo - Privacy Pod
 - Judicial Court - Privacy Pod Request.pdf
 - Privacy Pod - DOC333.pdf

9. NEVADA RURAL HOUSING AUTHORITY: RESOLUTION AND APPROVAL TO TRANSFER THE 2023 PRIVATE ACTIVITY BOND VOLUME CAP TO NEVADA RURAL HOUSING AUTHORITY (FOR POSSIBLE ACTION)

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. Discussion and possible action.

- 9.A) Staff Memo - NRHA - PABC request
 - Staff Memo - NRHA - PABC Request.pdf 2023 PABC Resolution Humboldt.pdf
 - Humboldt County Progress Report 2023.pdf

10. COMPTROLLER: RESOLUTION TO ESTABLISH THE SELF-INSURANCE FUND (FOR POSSIBLE ACTION)

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. Discussion and possible action.

- 10.A) Staff Memo - Self Funding Insurance Resolution
 - Staff Report Self-Funded Insurance Fund.pdf
 - Resolution Establishing Self Insurance Fund.pdf

11. COMPTROLLER AND ASSESSOR: ESTABLISHING A DOG CONTROL DISTRICT ASSESSMENT (FOR POSSIBLE ACTION)

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. Discussion and possible action.

- 11.A) Staff Memo - Dog Control Assessment District

12. COMPTROLLER: FINANCIAL REPORT (INFORMATIONAL ONLY)

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.

13. TREASURER'S OFFICE: REQUEST TO PROCEED WITH 2024 DELINQUENT TAX AUCTION (FOR POSSIBLE ACTION)

Consideration, discussion and possible authorization for the Treasurer to proceed with title searches for properties to be sold in the 2024 delinquent tax auction. Discussion and possible action.

13.A) Staff Memo - Proceed to Auction and List of Parcels

Staff Report - 2024 Proceed to Auction.pdf

2024 List of Parcels - Proceed to Auction.pdf

14. POSSIBLE BUILDOUT OF BROADBAND INFRASTRUCTURE FOR CERTAIN COUNTY BUILDINGS AS PART OF STATE OF NEVADA RURAL BROADBAND INITIATIVE (FOR POSSIBLE ACTION)

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. Discussion and possible action.

14.A) Staff Memo - Broadband Build-out Resolution

Agenda Request Form - Humboldt County BROADBAND_mvp.pdf

Zito Humboldt County Commissioners Letter 6.28.pdf

15. PLANNING: SET TO PUBLIC HEARING: (FOR POSSIBLE ACTION)

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).

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).

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).

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).

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 Rd; assessor's parcel #13-0092-26.

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 Rd; assessor's parcel #13-0092-25.

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.

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.

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.

15.A) Staff Memo - Planning - Set to public hearing

Set to Public Hearing - RH-23-25,26,27,28,29,30,31,32,33.pdf

16. PUBLIC WORKS DEPARTMENT: LANDFILL TRANSFER SITE PLANS AND GENERAL ROAD PROJECTS (FOR INFORMATION ONLY)

- A. 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. Discussion and possible action.
- B. 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.

16.A) PW - Transfer Site Plans

Staff Report - Landfill Transfer Site Plans.pdf
Scope of Work HC Xfer.pdf

17. SHERIFF: LIQUOR BOARD

Sheriff Cardenas is requesting that the Humboldt County Liquor Board be convened for consideration, discussion and possible approval of the following:

- A. 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. Discussion and possible action.
- B. 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. Discussion and possible action.
- C. 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 and 19. Discussion and possible action.
- D. A special liquor license on behalf of Natalie Betschart on behalf of the Northern Nevada Racing Association for the Memorial Race on September 8 and 9. Discussion and possible action.

17.A) Sheriff - Liquor Board Request

Agenda Request Form-Jumpin' June Drags_001.pdf
Agenda Request Form-July Good Times Race_001.pdf
Agenda Request Form-August Beat the Heat Race_001.pdf
Agenda Request Form-Memorial Race_001.pdf

18. 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.(POSSIBLE ACTION)

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. Discussion and possible action.

18.A) Staff Memo - DOWL Agreement

Agenda Request DOWL Agreement 06-29-23.pdf

7463.30178_MSA Humboldt Co-DOWLtask1-PER update.pdf

19. BUILDING AND SAFETY: REQUEST TO TERMINATE THE LEASE ON THE GMC CANYON AND APPROVAL FOR AN AGREEMENT FOR PLAN REVIEW SERVICES (FOR POSSIBLE ACTION)

A. Consideration, discussion and possible approval to terminate the lease on the GMC Canyon. Discussion and possible action.

B. 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 is our current back-up for plan reviews will discontinue this service at the end of the month. Discussion and possible action.

19.A) Staff Memo - GMC Truck Lease and KT Plan Review Agreement

Agenda Request GMC Payoff of Lease 07-10-23.pdf

Agenda Request Form KT Services.pdf

KT Plan Review Consulting Agreement-Plan Review-07-10-23.pdf

20. COUNTY MANAGER: DISCUSSION REGARDING THE RECRUITMENT FOR COUNTY MANAGER DAVE MENDIOLA'S REPLACEMENT IN MARCH 2024. (FOR POSSIBLE ACTION)

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, Discussion and possible action.

21. MISCELLANEOUS REPORTS AND CORRESPONDENCE

1. Other information and 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

July 25, 2023 Humboldt General Hospital Board 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, Northeastern Nevada Regional Development District (NNRDA), Humboldt County Elk Planning Steering Committee, Paradise Conservation District and the State Land Use Planning Advisory Council (SLUPAC).

22. 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.

23. 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.

24. ADJOURNMENT

25. 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 Humboldt County Courthouse Meeting Room 201 50 West Fifth Street, Winnemucca, Nevada 89445 at the time and date listed on the top of the 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.

Members of the public may make a public comment at the meeting without being physically present by emailing publiccomment@humboldtcountynv.gov prior to 8:00 a.m. on the day of the meeting and messages received will be transcribed for entry into the record and provided to the Board for review. Members of the public may also make a public comment at the meeting without being physically present by accessing the meeting

through the internet connection at Microsoft Teams link above.

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.

CERTIFICATE OF POSTING

PLACES POSTED: Humboldt Co. Courthouse, 50 W. 5th St.: Rooms 201, 205, & 207 at 9:00 A.M. By: MC

Humboldt County Website: <https://www.humboldtcountynev.gov> at _____ A.M. By: _____

State of Nevada Website: www.notice.nv.gov. _____ A.M. By: _____

MEETING DATE: July 10, 2023
DATE POSTED: July 5, 2023 **POSTED BY:** MICHELLE COOK

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

NOTICE TO PERSONS WITH DISABILITIES - Reasonable efforts will be made to assist and accommodate physically disabled persons desiring

to attend the meeting. Please call the Humboldt County Administrator's Office at 623-6300 in advance so that arrangements may be conveniently made. **EQUAL OPPORTUNITY NOTICE** - Humboldt County is an Equal Opportunity Employer and will not discriminate against employees or applicants for employment or services in an unlawful manner.

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Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should Contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-9339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at http://www.ascr.usda.gov/complaint_filing_cust.html and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

(1) Mail: U.S. Department of Agriculture

Office of the Assistant Secretary for Civil Rights

1400 Independence Avenue, SW

Washington, D.C. 20250-9410;
fax: (202) 690-7422; or
email: intake@usda.gov

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HUMBOLDT COUNTY

50 W. 5th Street
Winnemucca, Nevada 89445
www.hcnv.us

STAFF REPORT

DATE: Wednesday, June 28, 2023
TO: County Commission
FROM: Gina Rackley, Comptroller and Andy Heiser, Assessor
SUBJECT: Dog Control District Assessment
REQUESTED AGENDA DATE: July 10, 2023

SUMMARY

During the FY2024 budget hearings, Commissioner Evatz, Assessor Heiser and Comptroller Rackley were asked to meet for the purposes of discussing the creation of an assessment district for parcels located within the dog control district of the County.

WHY ARE YOU BRINGING THIS BEFORE THE BOARD NOW:

If it is decided by the Board 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.

PREVIOUS ACTION

No official action was taken, only discussion during the FY2024 budget hearings.

BACKGROUND

Commissioner Evatz, Assessor Heiser and Comptroller Rackley met to discuss the process and cost associated with forming an assessment district for billing parcels within the Winnemucca Rural and Golconda Dog Control Districts

FISCAL IMPACT

The current costs to be included in the assessment district, if decided to proceed with forming one, would be:

FT and PT Employee Salary & Benefits	\$119,000
Cost Share Agreement	16,000
Annual Vehicle Fuel & Maint.	5,500
Capital Expense for new vehicle (every 10 years)	<u>10,000</u>
TOTAL ANNUAL COSTS	\$150,500

of parcels within the districts = 5422 for an annual cost per parcel of \$27.76 - suggest a consideration of rounding that up to an even \$30.00 per parcel if approved to proceed.

There would not be a reduction in taxes for any parcels outside of the district because the expenses are currently included in the General Fund of the County so the expenses would most likely be redirected to other costs.

RECOMMENDATION

We do not have a recommendation. We have only prepared the information to assist the board in deciding whether or not an assessment district should be formed for the parcels within the Winnemucca Rural and Golconda Dog Control Districts.

POSSIBLE MOTION N/A

**Parcel List for
April 2024 Delinquent Tax Auction**

Parcel Number	Prior Owners	Tax Amount Owed as of 6/26/23	Acreage	Location
05-0262-04	Richard & Shawna Halstead	\$ 302.36	40.00	Lot 4 S33 R37N R33E
05-0278-10	Eagle Land LLC	\$ 231.01	40.57	Lot 10 S9 T37N R34E
05-0681-01	Online Land Sales LLC	\$ 302.36	41.63	Lot 1 S1 T37N R34E
05-0694-10	Ditta/Goldscy/Marissety etal	\$ 302.36	40.40	Lot 10 S11 T37N R34E
06-0101-14	Betty L. Player	\$ 521.89	8.89	
06-0164-13	Preston H. Harris Tr	\$ 328.67	8.89	Paradise Ranchos
06-0172-11	Tierney O'Heren	\$ 1,335.40	4.85	3385 Fremont St.
06-0342-20	Juan Manuel De Leon Carpio	\$ 456.03	10.00	Paradise Ranchos
06-0681-14	Peter A. Trier	\$ 591.34	40.39	Golconda Rural
07-0231-03	Ronald K. Fontana	\$ 197.44	5.00	Golconda Rural
07-0411-11	John A. & Arlene C. Gustafson Trs	\$ 197.44	5.00	Valmy Rural
07-0431-06	Ronald K. Fontana	\$ 197.44	5.00	Valmy Rural
07-0654-08	Jon Brock & Patricia Rogers	\$ 242.03	40.23	Valmy Rural
07-0654-15	Stephanie McCown	\$ 242.25	80.26	Valmy Rural
07-0751-02	Michael Keith Noel Small	\$ 291.35	20.00	Valmy Rural
08-0063-12	Gewitter	\$ 111.32	0.16	N. Kramer Ave., Golconda
08-0063-18	Paul Sabesky	\$ 111.32	0.16	N. Kramer Ave., Golconda
08-0073-26 *	Alberto & Huendy Andrade	\$ 1,546.17	0.16	N. Adelaide Ave., Golconda
08-0113-20 *	Grant Sabesky	\$ 1,025.89	0.16	Golconda
08-0113-23 *	Grant Sabesky	\$ 1,150.74	0.16	N. Adelaide Ave., Golconda
08-0323-12	Richard F. Prehoda	\$ 165.32	0.16	Golconda
08-0324-18	Michael Small	\$ 171.09	0.32	S. Noble Ave., Golconda
08-0581-02	Lavinia T. Eberlein	\$ 526.44	20.00	Golconda
14-0233-07	Cindy Campo	\$ 239.32	4.77	Big Horn St.
14-0234-12	Daniel G. Guilbert	\$ 239.32	4.84	Elk St.
16-0311-06	L&P Nichols / Joyce Reed	\$ 3,316.65	0.15	5335 Royal Dr.
16-0542-23	Kyle P. Myers	\$ 857.03	0.21	4095 Myers Ln.

* Held over from prior auctions as they did not sell

\$ 15,199.98



HUMBOLDT COUNTY

50 W. 5th Street
Winnemucca, Nevada 89445
www.humboldtcountynv.gov

AGENDA REQUEST FORM

DATE: June 26, 2023
TO: County Commission
FROM: Dave Mendiola
SUBJECT: Fiber Optic Connections for County Government Facilities
REQUESTED AGENDA DATE: July 10, 2023 – 8:30am

SUMMARY AND BACKGROUND:

Investment with Zito Media to bring fiber optic infrastructure to serve seven essential Humboldt County Government facilities in Orovada and Winnemucca with very high-speed broadband connections. This investment, when combined with a State and Federal Government investment that exceeds \$20Million will lead to better residential broadband service throughout Humboldt County.

WHY ARE YOU BRINGING THIS BEFORE THE BOARD NOW:

Humboldt County Government has partnered with the Nevada Governor's Office of Science, Innovation and Technology (OSIT) for the past 5 years to develop and implement a plan to bring high-speed broadband connections to all government, business, and residential locations in the County. This work received a boost when Zito Media upgraded broadband connections in and around Winnemucca four years ago.

More recently, in 2022 and 2023, Humboldt County and OSIT leveraged American Rescue Plan Act (ARPA) funding to seek upgraded broadband connections for schools, libraries, County offices and State offices in the County. An open and competitive bid process was conducted to serve these facilities. From September 19, 2022, to December 19, 2022, all service providers were invited to bid on this opportunity. Zito Media and Uprise Fiber submitted bids to serve schools, libraries, County government and State government facilities in Humboldt County. Zito Media was selected as the most cost-effective and technically sound bid, after a thorough and fair bid evaluation process, led by OSIT and including other State agencies.

State and Federal agency funds will invest over \$20M to serve schools, libraries, County, and State Government facilities throughout the County. The County's investment will be \$225,750 for fiber construction for seven facilities and \$225 per month for ongoing services to these buildings.

The facilities are:

Humboldt County Communications Center	795 Fairgrounds Rd, Winnemucca, NV 89445
Humboldt County Human Services	26 E. Haskell St, Winnemucca, NV 89445
Humboldt County Road Department	3340 Bengochea Cir, Winnemucca, NV 89445

Humboldt County Sports Complex	1351 W. 6th St, Winnemucca, NV 89445
Rose Creek Communications Complex	8255 W. Rose Creek Rd, Winnemucca, NV 89445
Humboldt County Public Works	65 Rock Creek Rd, Orovada, NV 89425
Humboldt County Fairgrounds	1000 Fairgrounds Rd, Winnemucca, NV 89445
Humboldt County Courthouse	50 W. Winnemucca Blvd, Winnemucca, NV 89445

PREVIOUS ACTION:

The Commission previously approved \$250 in monthly recurring costs for broadband service to Humboldt County library locations in Denio and McDermitt. The Federal E-rate Program and OSIT covered \$7,268,875 in fiber construction costs to these locations.

HAS DISTRICT ATTORNEY REVIEWED AGREEMENT/CONTRACT IF APPLICABLE:

No

FISCAL IMPACT IF APPLICABLE:

RECOMMENDATION:

LIST SUPPORTING DOCUMENTS IF APPLICABLE:

POSSIBLE MOTION:

Motion to adopt Resolution No. _____ (Humboldt County's Resolution No.) to use \$XXX,XXX in ARPA Local Fiscal Recovery Funds to construct fiber optic broadband connections to County Government Facilities.

June 28, 2023

VIA EMAIL

Dave Mendiola, Humboldt County Manager
Humboldt County Commissioners
50 West Fifth Street
Winnemucca, NV 89445
dave.mendiola@humboldtcountynv.gov

RE: Quotes for fiber service to Humboldt County Government Facilities

Dear Mr. Mendiola and Commissioners:

Zito West Holding LLC, the parent company of Zito Business, has invested substantial funds in upgrading residential broadband service in and around Winnemucca since its acquisition of Satview Broadband in 2018. In our efforts to continue the growth and expansion of our services throughout Humboldt County, Zito Business has provided quotes on the accompanying page for fiber optic broadband service to eight Humboldt County Government facilities through our participation in the High Speed NV Initiative.

Zito will work with Humboldt County and various State of Nevada agencies to complete builds to the referenced eight facilities in the next 24-30 months. The State and Federal Government are investing \$21,525,000 in construction to reach school, library, and State facilities throughout Humboldt County. The total construction cost of \$225,750.00 assessed to Humboldt County is a one-time investment that will bring fiber to all eight facilities. This cost is guaranteed and cannot be exceeded. After the fiber is constructed to these facilities, the County will be able to choose either 1Gbps service or dark fiber for each facility.

It is our belief and mission, as an advanced telecommunications company, that all educational and governmental agencies should have access to the most advanced network available regardless of location or affiliation. The requirement and necessity of high bandwidth services continues to grow on a daily basis. Zito is able to provide these services in the most cost-effective manner.

We are excited to provide the attached quotes for consideration by the Humboldt County Commissioners, and eager to partner with the County on this very mutually beneficial endeavor. On behalf of Zito, please feel free to contact me with any questions, and we look forward to your feedback.

Best Regards,



Scott L. Neff

Vice President of Business and Network Development

enclosure

cc: Mike Detullio, mike.detullio@humboldtcountynv.gov
Brian Mitchell, blmitchell@gov.nv.gov

Zito Proposal – Humboldt County

Facility Name	Address	One Time Construction Cost	Monthly Cost for 1G service for 60 months	Monthly Cost for Dark Fiber for 60 months
Humboldt County Communications Center	795 Fairgrounds Rd, Winnemucca, NV 89445	\$ 44,375	\$ 800	\$ 250
Humboldt County Human Services	26 E. Haskell St, Winnemucca, NV 89445	\$ 16,250	\$ 800	\$ 250
Humboldt County Road Department	3340 Bengochea Cir, Winnemucca, NV 89445	\$ 28,750	\$ 800	\$ 250
Humboldt County Sports Complex	1351 W. 6th St, Winnemucca, NV 89445	\$ 26,375	\$ 800	\$ 250
Rose Creek Communications Complex	8255 W. Rose Creek Rd, Winnemucca, NV 89445	\$ 32,000	\$ 800	\$ 824
Humboldt County Public Works	65 Rock Creek Rd, Orovada, NV 89425	\$ 41,000	\$ 800	\$ 4332
Humboldt County Fairgrounds	1000 Fairgrounds Rd, Winnemucca, NV 89445	\$ 29,750	\$ 800	\$ 250
Humboldt County Visitors Center	50 W. Winnemucca Blvd, Winnemucca, NV 89445	\$ 7,250	\$ 800	\$ 250
Total one-time Construction Cost		\$ 225,750		