

MINUTES OF THE BOARD OF CHURCHILL COUNTY COMMISSIONERS

155 N. Taylor St., Fallon, NV 89406

September 18, 2024

Call to Order:

The regular meeting of the Board of County Commissioners was called to order at 1:15 PM on September 18, 2024.

PRESENT:

Commissioner Myles Getto
Commissioner Harry Scharmann
Commissioner Justin Heath
Asst. County Manager/HR Director Chris Spross
Comptroller Sherry Wideman
Deputy District Attorney Joseph Sanford
Deputy Clerk to the Board Pamela D. Moore
County Manager Jim R. Barbee
Clerk/Treasurer Linda Rothery

ABSENT:

Pledge of Allegiance:

The Pledge of Allegiance was recited by the board and public.

Public Comment:

Chair Getto asked if there was any public comment. Ms. Casey Reich said I am requesting clarification of Churchill County Code 16.08.070, which pertains to the Temporary Use Permit, with particular attention to the first paragraph. I pulled it up on your website and it seems there is conflicting information depending on who you talk to. The first paragraph states that it is illegal to reside in an RV outside of an RV park for more than 90 days, paraphrasing, of course. I am a licensed educator working on my Master's Degree and I am still confused. Is the information on the website correct? Chair Getto said, yes, it is. Ms. Reich said is this the same information that was on there in 2003 and the same information I got this morning? If it is correct, different departments have said different things about it. I do not know if it even applies to me. I am really confused.

I was told that I cannot stay on my property, not even for one day. Then, it says there are 90 days. I have different circumstances because I have a landscaped yard, farm animals, and 4 acres of alfalfa that is irrigated with water rights. I also have CC&Rs. I came to you a year ago and the CC&R group came in and said it was basically a dump, a trash heap, and that I needed to clean it up. I cleaned it up and then I was told it was too clean and it looks like someone might be living there.

I can get water from my field at 4 o'clock, 3 o'clock in the morning, and I need to be there to make sure my berm does not get breached and that the water flows where it is supposed to. I get my 45 minutes of allotted time to open and close my gates. I am on the second-to-last parcel in

line and, if I leave my gates open too long and breach the berm, it will cause problems. If I take too much water, it will cause problems. If I do not take my water, my fields can die.

That being said, I need to be able to go there to work on and maintain my property. The neighbors have an issue with my RV being on the property at all. I have a \$70,000.00 motorhome; it is not a piece of junk. No one is living in it and we do not live on the property. Just having the RV there, on my lot, while we were getting ready to build my house, made us think that we needed the TUP to do owner-builder. I guess we did not understand the rules.

After our meeting and the 'welcome committee' of neighbors, we were very discouraged and were told we could not use the foundation. It was garbage; it was junk. The person who sold us the property did not go through the proper channels and do anything right. It was during COVID, and we could not get in touch with anyone. By the time we reached someone, a very nice lady from the Building Department told us, yes, you can build on that foundation but you need a letter from your engineer. We got the letter from our engineer but, after what we heard at the meeting, we were very discouraged. We decided we did not need the TUP because we realized we were in over our heads and did not want to build it ourselves. Long story short, we tried talking to Ray over in Building. He said we could not build. We got the letter we needed, took the letter to them, and they said it was not going to work and that our engineer needed to do other tests.

Chair Getto said, thank you, Ms. Reich. If I may interrupt you, public comment is limited to 3 minutes. No action can be taken by this board when it comes to public comment. What I can advise is for you to work closely with Public Works and Planning and Building. They can guide you through the process. I know the process can be frustrating but there is a set of rules we must follow. Ms. Reich said we tried to go through the other channels and felt that we were not getting any answers. I tried reaching out to Commissioner Justin Heath and we have been playing phone tag. That is where we are. I do not know who to talk to in order to resolve the problem. Chair Scharmann said have you been before the Planning Commission? Ms. Reich said we have gone before the Planning Director. We had a meeting with him Monday and we were told that we cannot stay there for even one day. According to the website, it says up to 90 days. We are confused on that end and my questions are not getting answered. I am confused. Chair Getto said thank you for your public comment. Is there any other public comment?

Mr. Shawn Reich said I have the property at 4886 Oran Road. I own the property and the water rights to it. You guys remember last September, we came to a (Planning) Commission meeting with an Application for a TUP. It kind of went off the rails; my wife and I felt completely attacked, which is neither here nor there. After public comments, we rethought our plans and options. TriPeek made a comment at that meeting and said that our plans could not be built on.

We went directly to the Planning Commission the next day and told them that we did not plan to get the TUP because we were not going to live on the property while it was being built. We went directly from there to the Building Department and asked for any paperwork on the foundations, anything they had. I was told that no permits were pulled for the foundation, no

inspections, and that I would need more than a letter from my engineer. I testified in front of the board that I had an engineer with engineered plans, which I do.

Monday, we had a great meeting with Randy and the new building inspector. Within 24 hours, we were able to get all the paperwork, inspections, and permits, all of which were up to date. For the record, Mr. Polk did everything correctly and everything passed. I was told that if I had an engineer's letter, I could build on that property. The TUP process used to come through you guys. I would not hand over power without some oversight and maybe an appeals process. Chair Getto said, thank you for your comment. Mr. Reich said, one more thing. We redesigned because our plans went out of date. I had to redesign our plans. We are going to build there. We spoke to Randy yesterday and he said to come up with the plans. I am in engineering right now, and we are having plans built, and we are going to build on that property. That was my plan in the first place and it is my plan now. Thank you for your time and consideration. Any kind of meeting that you have or anything where we can get together and talk about this, I would be open to that.

Chair Getto asked if there was any other public comment but there was none.

Verification of the Posting of the Agenda:

It was verified by Crystal Muschetto, Deputy Clerk, that the Agenda for this meeting was posted on the 12th day of September, 2024, between the hours of 8:00 and 11:00 AM at all of the locations listed on the Agenda, in accordance with NRS 241.

Consideration and possible action re: Approval of Agenda as submitted or revised:

Appointment Item E had been withdrawn prior to the meeting and, therefore, the Agenda was revised accordingly.

Commissioner Justin Heath made a motion to approve the Agenda as revised.

Commissioner Harry Scharmann seconded the motion, which carried by unanimous vote.

Consideration and possible action re: Approval of Minutes of the meeting held on:

A- August 21, 2024.

The Minutes of the meeting held on August 1, 2024 are presented for the board's consideration and approval.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Commissioner Harry Scharmann made a motion to approve the Minutes of the meeting held on August 1, 2024. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

Appointments:

1:15 PM A- Presentation of Employee Service Awards for the 3rd Quarter of 2024.

Employees receiving service awards during the 3rd Quarter of 2024 are:

Employee Name	Department	Years of Service
Wright Noel	Alternate Public Defender	5 Years
Leslie Notestine	Assessor	10 Years
Chelsea Sanford	District Attorney	10 Years
Jeffrey Weed	District Attorney	10 Years
Paul Merritt	Road	15 Years

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

This matter was done for recognition only and no action was taken.

B- Public Hearing - Consideration and possible action re: Bill 2024-D, Ordinance 32, an ordinance amending Title 16 of the Churchill County Code to provide the Planning Director administrative authority to issue Temporary Use Permits and other matters related thereto.

The Churchill County Planning Commission reviews various permits related to planning and zoning, including the issuance of temporary use permits that authorize a landowner to place a temporary living quarters (RV/Mobile Home) on their property in limited circumstances. Specifically, the Churchill County Code currently authorizes temporary use permits for (1) farm labor, (2) caretaker quarters, (3) home construction, (4) office construction, and (5) general permits in like circumstances. In the absence of a permit, temporary quarters are allowed for no more than ninety (90) days per year.

Temporary use permits are generally a fact-intensive investigation and review, requiring a determination of whether the farm is legitimate, the caretaker is needed, or the house is actually being constructed. However, because the issuance is by the Planning Commission, incomplete or deficient applications are forwarded to the public meeting with the details being worked out during the meeting. This process is slow, inefficient, and prone to compromised or conditioned approvals that are enforcement nightmares.

This ordinance will (1) transfer issuing authority for temporary use permits to the Planning Director, (2) update the requirements for issuance to be clear and unambiguous, and (3) ensure that the renewal process is not abused for construction permits. This should protect the appeal of the community, assist applicants in receiving permits in a timely fashion, and reduce administrative burden on the Planning Commission.

The public hearing notice was published in *The Fallon Post* on September 6, 2024.

FISCAL IMPACT: N/A
EXPLANATION OF IMPACT: N/A
FUNDING SOURCE: N/A
ACTION REQUESTED: Accept

TITLE: AN ORDINANCE AMENDING TITLE 16 OF THE CHURCHILL COUNTY CODE TO PROVIDE THE PLANNING DIRECTOR ADMINISTRATIVE AUTHORITY TO ISSUE TEMPORARY USE PERMITS.

SUMMARY: AN ORDINANCE AMENDING TITLE 16 OF THE CHURCHILL COUNTY CODE TO PROVIDE ADMINISTRATIVE AUTHORITY OVER TEMPORARY USE PERMITS BY (1) GRANTING AUTHORITY FOR TEMPORARY USE PERMITS TO BE REVIEWED AND ISSUED BY THE PLANNING DIRECTOR, (2) REQUIRING ADDITIONAL DOCUMENTATION PRIOR TO THE ISSUANCE OF A TEMPORARY USE PERMIT IN CERTAIN CIRCUMSTANCES, AND (3) LIMITING THE PERIOD OF RENEWAL FOR CONSTRUCTION ON PERMANENT RESIDENTIAL AND NON-RESIDENTIAL FACILITIES TO 3 YEARS.

Civil Deputy District Attorney Joseph Sanford made this presentation as outlined above.

Chair Getto asked if there was any public comment but there was none.

Commissioner Justin Heath made a motion to adopt Bill 2024-D, Ordinance 32, as presented. Commissioner Harry Scharmann seconded the motion, which carried by unanimous vote.

C- Presentation of a Public Lands and Natural Resources Tracking List.

RCI has been monitoring and involved in a host of issues and projects related to public lands and natural resources in the County. This is an overview and update of those issues.

FISCAL IMPACT: N/A
EXPLANATION OF IMPACT: N/A
FUNDING SOURCE: N/A
ACTION REQUESTED: None; Informational Only

Jeremy Drew, Resource Concepts, Inc, said it was a beautiful day to drive across Churchill County on Monday, with some snow on the mountain tops and again back today. So glad to be with you all now that fall is here. There is an FRTC IEC meeting at 2 o'clock, so I will excuse myself as soon as my updates are done and head to that.

Not a whole lot has changed in terms of how the Navy is staging their implementation of the FRTC Modernization. There is still a lot of focus on the B-16. I certainly appreciate the resolution on both Lone Tree, Sand Canyon, and Pole Line Road. I think we are further along with Lone Tree because we know where we want to go, no pun intended. I think the path there is straightforward. On Sand Canyon and Pole Line, we are still having discussions around those being minor county roads and not requiring maintenance.

I think, for the foreseeable future, ironing out how we move forward on the roads and making sure the first batch of grazing compensation in B-16 is right, is really going to be the focal point before we start moving on to other areas. Commissioner Scharmann said which one did you say was not? Mr. Drew said in terms of the roads or which range? Commissioner Scharmann said yes. Mr. Drew said, with regard to the Sand Canyon reroute and Pole Line reroute, the BLM roads that were being rerouted were minor county roads, historically, and were not maintained by the county. The proposed Navy design and what they have budgeted for through the EIS process does not meet the county road standard. Our view on that is that it should remain a minor county road without maintenance. That provides some protection under liability under NRS in terms of that designation. The BLM is telling us that their right-of-way rules and regulations require us to maintain that road. That is the sticking point at this moment.

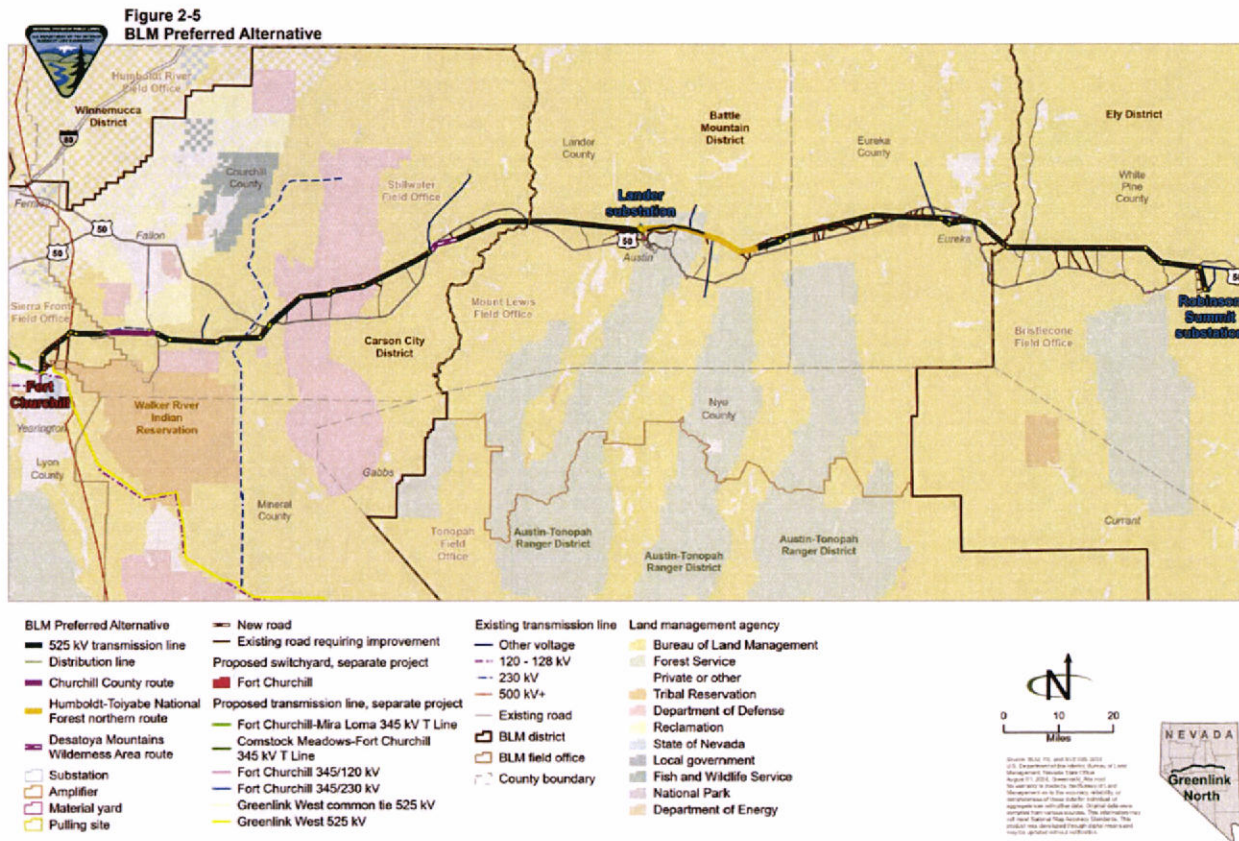
Chair Getto said two or three meetings back, we had the ordinance stating where we stood and these are the two options. This is what we want to see, on the record, as well. Mr. Drew said I think that will be helpful and I would not be surprised if that comes up later this afternoon. The two options that we have laid out, are: either do not build it to a county road standard, designate it as a minor county road with no maintenance or build it to a county road standard and have the Navy pay for the maintenance.

Moving off of FRTC, a couple of items are coming up, one of which we will talk about on the next agenda item and that is the BLM's Solar Energy Programmatic EIS that came out in final copy on August 30, 2024. That initiated a 30-day protest period and a 60-day Governor's Consistency Review. I will get into the nuts and bolts of that on the next item, just to flag the schedule for you all.

The BLM Greater Sage Grouse Resource Management Plan update we anticipate coming out any day now. I think they are waiting on the Washington office, which will initiate the same process. We will have 30-days to protest if we think it is warranted and the Governor will have 60-days for a Consistency Review because they are updating a Resource Management Plan. Vice-Chair Getto said what option did they pick on that one? Mr. Drew said on Sage Grouse? Vice-Chair Getto said yes. Mr. Drew said Sage Grouse are still embargoed under cooperating agencies, so I cannot disclose details but I will tell you it will be a blend of their 5 options. Mr. Spross said do the 30-days and 60-days run concurrently or consecutively? Mr. Drew said concurrently. Both of these efforts I have concern about and we have talked about in the past from the beginning, both of them are a West-wide effort. The Solar Programmatic EIS covers I believe 11 states. The Sage Grouse effort is range-wide, so you have 9 different states that they are trying to plan out of the Washington D.C. office. We flagged from the beginning on both of those processes that that was going to be problematic. I hate it when I am right but I think we were right. I will show you why on the maps coming up.

The other thing that just opened up as it relates to renewable energy is that NV Energy has just proposed Green Link North 500 kV transmission line, which would essentially run across the county, parallel to Highway 50 and has come out for draft. That comment period is open for 90-days and we have until December 11, 2024. I will be back out for the meeting closest to that

date and go over our comment letter. We have done a lot of work in the background as a cooperating agency making sure the alignments were correct and the attached map, which is part of your support material, I would point out the green line on the map is the proposed line.



There are 2 areas of purple highlighted in Churchill County. One immediately South of the City of Fallon around the city's landfill. NV Energy, when they originally proposed that alignment, went right through the middle of those RNP parcels that we picked up in the Lands Bill. That was going to be problematic having a 500 kV line over the top of where we hope are gravel pits. Still working in the cooperating agencies program and under our cooperating agencies status. BLM modified their proposed action to stay South of those parcels. The other one is just North of Cold Springs along Highway 50 in what they call the Desatoya Spur. That little spur of the mountain that runs out closest to Highway 50, if you recall, used to be called the Wilderness Study Area in the Lands Bill. We pulled that boundary back and low and behold, the alignment ended up going through the void space. What we pushed for there was making sure they stayed North of the existing line because there are Big Horn Sheep habitat considerations and, frankly, being up and over the top of the mountain does not make a ton of sense. Those are 2 instances where I think being a cooperative agency has helped us get ahead. Otherwise, we would be recommending that now. I think both the proponent and the BLM understand why we are pushing for that. It was nice to see it end up under the preferred alternative. I would say this is what happens when you plan at the state or district level and not at a national level. We will be coming back to you either late in November or early December

with a letter. With that, I would be happy to answer any questions as it relates to the Tracking List.

Chair Getto asked if there was any public comment but there was none. This item was presented for informational purposes only and no action was taken.

D- Consideration and possible action re: Approval to prepare a protest to the Bureau of Land Management's Final Environmental Impact Statement for the Utility-Scale Solar Energy Development Programmatic Environmental Impact Statement (EIS) and Proposed Resource Management Plan Amendment.

In 2012, the BLM completed a 6-State Western Solar Plan that identified Solar Energy Zones and Variance Areas for Solar Development on BLM managed public lands. No Solar Energy Zones were designated in Churchill County but some Variance Area was. Variance Area allows applications for solar projects with a requirement initial (pre-NEPA) coordination with the county, public, tribal governments, and BLM.

The current planning effort expands the prior effort to include five additional states. The Proposed Plan would eliminate the Variance Process (requirement for pre-NEPA coordination with local government) and identify lands as either "Available" for Solar development, "Avoidance Lands" or "Excluded" from Solar development. The BLM' Proposed Plan results in a significant amounts of BLM land that would be "Available" from solar development, including some lands affected by the Fallon Range Training Complex Modernization and Churchill County Lands Bill.

The support material provided includes slides, maps and initial points of consideration for a protest.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

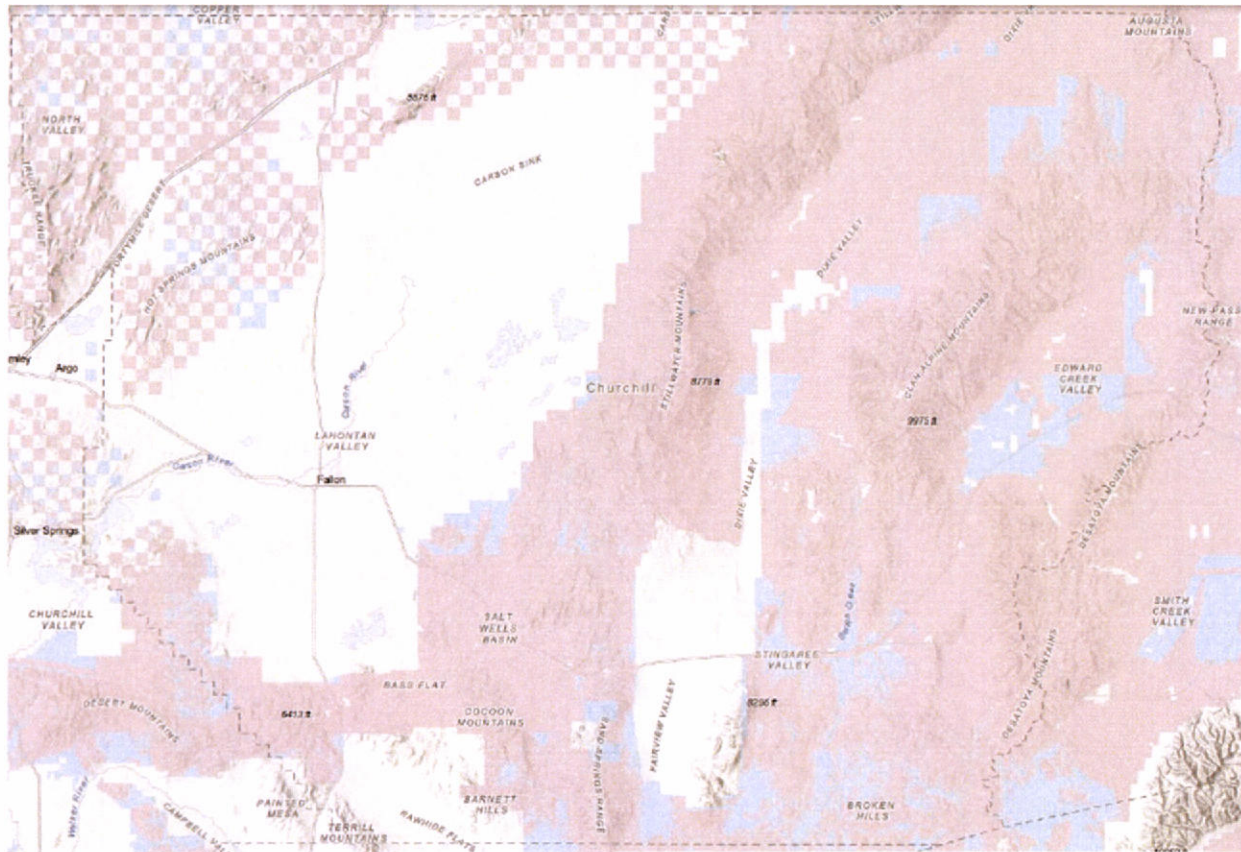
ACTION REQUESTED: Accept

Jeremy Drew, Resource Concepts, Inc., said, in your packet, you have proposed FAQs for the BLM. This is a document we reviewed and commented on several months ago during the Draft EIS process. It is primarily being driven by the Washington D.C. office, across a host of Western states. If you recall back then, I believe there were five different action alternatives. The, no action, which is basically the plan that has been in place since 2012, is either that lands are closed for solar application or there is a variance process.

If a developer wants to go into a variance area, they must come to the county before they get to NEPA and say, "Here is where we want to develop." It has worked with varying degrees of success in other counties where I have seen projects come forward. So far, I do not think that process has played out in Churchill County but I imagine it is only a matter of time.

In terms of what the BLM was proposing several months ago, they had identified a preferred alternative with a whole host of resource-based exclusion areas. For example, they would not allow solar applications in Wilderness Areas. They also excluded development or applications in any area with greater than a 10% slope. Then they designated screening criteria for transmission proximity, meaning a solar application had to be within 10 miles of an existing transmission line that was over 100 kilovolts.

What we have on the next slide is a map of where we stand now.



All the pink areas within the county are closed to solar application, which is a significant part of the county. The blue areas, if someone wanted to develop there, they would have to go through the variance process. This includes us early on, which I am a big proponent of.

If you look at the proposed action, you will see the pink is the exclusion area. The green is open for solar application and the stippled areas are open for solar application but with avoidance. Essentially, a developer would have to prove why they cannot develop somewhere else in the county. What they changed from the draft to the final is, I think, a procedural issue for them. They increased the distance from power lines from 10 to 15 miles and dropped the existing criteria from 100 kilovolts to 69. Any distribution line in the county is now being picked up as part of the planning criteria.

What that has resulted in is significant open areas along the Carson Sink, in the northern end of Dixie Valley and Edwards Creek Valley. My favorite spot is the open application area, at the top of Cherry Valley in the Clan Alpines. I do not think anyone would develop there but it certainly brings to mind scenarios that probably would not make sense.

The other thing we mentioned in the Draft EIS comments is that they had not incorporated some of the FRTC Modernization and you will see that carried forward here. All of that area along the east side of the Carson Sink, much of it is within the B-20 Withdrawal Area. I think this shows that we have some real issues with the map. The primary problem is, when you are driving something from a national level and trying to get the right mapping layers for 10 to 12 different states, you miss things. Unfortunately, they did not pick that up in our comments. We certainly do not need to spend time as a county moving forward dealing with solar applications in places where they are not going to happen.

On the next slide, you will see some main themes of potential protest. There are a host of other counties that will protest and I know that Humboldt, Eureka, and White Pine Counties have already approved a protest of this plan. I believe others are in the queue and I will also be talking with Lyon County about this tomorrow. The main theme of a protest, should this board approve, would be our concern with the West Lye Planning Area and the issues it creates, especially in our case with the NDAA and some of our designations.

The need to keep that variance process in place is critical so we can have a formal pre-NEPA consultation for any solar project proposed for BLM land. There is nothing in this plan that prevents speculative projects and that is what you are starting to see in many other counties. Many of the exclusions, of particular interest to us, are based on Resource Management Plans that are way out of date. We are under the Carson City Consolidated Plan and I think it is about five years out of date, being generous. There are things that just are not reflected in it. They are changing the rules on where solar can occur and the size of those lines is a problem.

At this point, my recommendation, although I do not like to protest Final Environmental Impact Statements because it means I did not do a good job leading up to it but, in this case, my recommendation is to protest. What we have seen in other counties and I anticipate it is only a matter of time in Churchill, is that solar developers see those large dream polygons on the map without getting out and doing boots on the ground. It almost becomes a gold rush where they want to lay claim and block out a space. Then, we have using county time and resources to deal with a project that probably is not going to go forward but you cannot make that assumption.

For me, getting the planning areas right and ensuring developers are focused on areas that are more appropriate is key. I think we should protest and work through some additional steps with BLM to get this right. With that, Chairman, I will yield for any questions.

Chair Getto asked if there was any public comment but there was none.

Commissioner Justin Heath made a motion to authorize the County Manager, in coordination with RCI, to develop and send a formal protest to the Bureau of Land

Management's Final Environmental Impact Statement for the Utility-Scale Solar Energy Development Programmatic EIS and Proposed Resource Management Plan Amendment. Commissioner Harry Scharmann seconded the motion, which carried by unanimous vote.

E- Consideration and possible action re: Approval to contract with SM Fresh Finish as a secondary Homemaker Program contractor.

The William N. Pennington Life Center is funded to provide homemaker services to those that qualify per ADSD guidelines. Currently, we have one contractor providing services but the contractor has not been able to meet the requests and has caused a waiting list of those needing to be served. Currently, 80 participants are receiving a minimum of 2 hours per week. There are 11 clients pending services. This project does not only provide light housekeeping for the aging but also individuals that are disabled in Churchill County.

Social Services sent out three requests for proposals. One response was received from SM Fresh Finish. Social Services is requesting authorization to proceed with contracting with SM Fresh Finish. If approved, this contractor will be added to the project with the grant finder, as required by guidelines.

FISCAL IMPACT: Up to \$1,800 / week.

EXPLANATION OF IMPACT: 3 homemakers @ \$20 / hour up to 30 hrs. / week.

FUNDING SOURCE: Reimbursable by Nevada State ADSD Federal MOU Title XX 14% and State of Nevada ILG Funding 86% Funding; Contracted Services FY25 \$88,025; 15% Indirect Match required.

ACTION REQUESTED: Accept

This item was withdrawn prior to the meeting.

F- Consideration and possible action re: Review of Churchill County Child Protective Services Summary & Maltreatment Allegations for FY 2024.

Churchill County, through the Interlocal Agreement, funds the State of Nevada Child and Protective Services for investigation activities in our community. As required annually, the State of Nevada Division of Child and Family Services provides reports of cases referred to, investigated, and substantiated.

For FY24, 14 of the 30 cases investigated were found to be substantiated for negligent or physical injury. A total of 364 calls were received that varied from providing additional information, obtaining information and referral, to obtaining information about the agency, and reports. This is a decrease from FY23.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

Shannon Ernst, Social Services Director, made the presentation as outlined above.

Chair Getto asked if there was any public comment but there was none.

Commissioner Justin Heath made a motion to approve the report as presented.

Commissioner Harry Scharmann seconded the motion, which carried by unanimous vote.

G- Consideration and possible action re: Ratification of an Agreement between the Aging and Disability Services Division and Social Services for funding to provide in-home Homemaker Services to individuals deemed eligible per the ADSD Service Specifications, in the amount of \$119,601.36.

Churchill County Social Services has been awarded \$119,601.36 for Homemaker Programming at the Life Center for those who qualify. This award further provides for yard work services who are qualified under the program, which is an update to services as of last May 2024.

FISCAL IMPACT: \$119,601.36.

EXPLANATION OF IMPACT: Personnel- \$27,052.43; Travel- \$469; Operating- \$361.64; Contractual/Consultant- \$82,460; Other- \$3,515.41; Indirect Costs- \$5,742.88.

FUNDING SOURCE: Independent Living Grant; Nevada Department of Health and Humans Services: Social Services Block Grant.

ACTION REQUESTED: Accept

Shannon Ernst, Social Services Director, made the presentation as outlined above.

Chair Getto asked if there was any public comment but there was none.

Commissioner Harry Scharmann made a motion to approve the ratification as presented.

Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

H- Consideration and possible action re: Ratification of a modified Agreement between the Nevada Housing Division and Churchill County Social Services to extend the Expenditure Date of Affordable Housing Trust Funds to June 30, 2025.

Churchill County Social Services has received a modification to the Agreement with the Nevada Housing Division to provide expanded housing assistance to avoid homelessness. The grant was scheduled for expiration June 30, 2024 but has been extended to June 30, 2025.

FISCAL IMPACT: \$27,269.

EXPLANATION OF IMPACT: Rent and utility payments to providers to avoid homelessness.

FUNDING SOURCE: Affordable Housing Trust Fund.

ACTION REQUESTED: Accept

Shannon Ernst, Social Services Director, made the presentation as outlined above.

Chair Getto asked if there was any public comment but there was none.

Commissioner Justin Heath made a motion to approve the ratification as presented.

Commissioner Harry Scharmann seconded the motion, which carried by unanimous vote.

I- Consideration and possible action re: Ratification of Churchill County Social Services' budget submitted to the State of Nevada, Attorney General's Office, to support FASTT

Programming in the adult detention center, in the amount of \$99,197.00, for COSSUP from August 19, 2024–September 30, 2025.

Churchill County Social Services has been in receipt of COSSUP funding passed through the State of Nevada, Attorney General's Office, for the past two years. COSSUP has been awarded an extra year due to funds throughout Northern Nevada not being expended as projected.

The budget will support the Behavioral Health Case Manager's salary, support clients, and administration of the project.

FISCAL IMPACT: \$99,197.00.

EXPLANATION OF IMPACT: \$81,222 Personnel, \$5,300 travel, \$4,425 Supplies, \$796 Other.

FUNDING SOURCE: Federal COSSUP 16.838 pass thru the State of Nevada Attorney General's Office.

ACTION REQUESTED: Accept

Shannon Ernst, Social Services Director, made the presentation as outlined above.

Chair Getto asked if there was any public comment but there was none.

Commissioner Harry Scharmann made a motion to approve and ratify the matter as presented. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

J- Consideration and possible action re: Application for continued support funding for the Churchill Animal Protection Society (CAPS) in the amount of \$17,000, with an annual update on activities.

The county has a long-standing history of supporting the Churchill Animal Protection Society (CAPS) in the amount of \$20,000 annually, paid in four quarterly installments. This year, due to budget reductions, CAPS was notified that the community support budget line items were reduced by 15%, which resulted in an amount of \$17,000 in support included in the final budget under the CAPS line item. CAPS representatives also recently met with the County Manager and Public Works to discuss conditions and needs at their existing facility. As plans develop, there may be a future request for one-time additional funds to be used for facility repairs.

CAPS is seeking continued support for FY25. The Churchill Animal Protection Society (CAPS) operates year round and offers a variety of community benefits, including spay/neuter programs for low-income families and housing unwanted or displaced animals from the county and from animal control. All animals taken in by CAPS are vaccinated, spayed/neutered, and placed in good homes.

Provided for the board's consideration is a funding Application from CAPS. The Application provides information on expenses and revenue (budget provided), as well as the benefits to our community. CAPS will also be providing a presentation of this information and an annual update to the board.

FISCAL IMPACT: FY25: \$17,000 (paid in four quarterly installments of \$4,250).

EXPLANATION OF IMPACT: The CAPS line item within the Community Support Budget has been funded each year with \$20,000 to \$25,000. During development of the FY25 budget, funds to continue county support in the reduced amount of \$17,000 were budgeted.

FUNDING SOURCE: Community Support Budget / Grant CAPS: 100-401-70230.

ACTION REQUESTED: Accept

Chris Spross, Assistant County Manager/HR Director, said the county has a long-standing history of supporting CAPS, the Churchill Animal Protection Society. Typically, we have provided support at an annual rate of \$20,000.00. As everyone is aware, we have gone through budget reductions and, unfortunately, our community support budget line was reduced by 15%. CAPS is here today to request \$17,000.00. If I may, because of the budget reductions, we are in a situation where we are not able to construct the CAPS building as we had planned. However, we have been meeting with CAPS because they still have needs with the existing building that must be addressed. Public Works Director Hines, County Manager Jim Barbee, and I have been meeting with CAPS to review their list of immediate needs and gather quotes for what that may cost. For future reference, we will be approaching the board for financial aid to manage those items.

Julia Ameil, Executive Director of Churchill Animal Protection Society, said we are here to request our yearly funding of \$17,000.00. A little history of what we do at CAPS: we were originally founded in 1986 and have been operating since then. We have moved to a few different locations and now we are in our current building on Pasture Road. Our main focus is on taking in homeless animals, either through owner surrenders or by working with local animal control. We have been working closely with them to help reduce their numbers, as they have been overwhelmed, especially with dogs. We spay, neuter, vaccinate, and microchip each animal, then find them good homes through adoption.

We also still offer the Food Pantry for low-income families in the community, which we have been able to continue. Unfortunately, our spay and neuter assistance program, which we were able to offer for several years, is currently suspended due to lack of funding. We hope to get that up and running again, at some point. Right now, we have 20 dog kennels and 10 cat kennels but we have been maxed out for a while. The funding will go toward our general operations, including vet bills, which are very high, and other expenses necessary to keep us operating.

Chair Getto asked if there was any public comment but there was none.

Commissioner Justin Heath made a motion to approve continued support funding for the Churchill Animal Protection Society in the amount of \$17,000 for FY 2025. Commissioner Harry Scharmann seconded the motion, which carried by unanimous vote.

K- Consideration and possible action re: Advanced Step Placement for Daniel Keyes for the position of Fleet Services Mechanic at \$0.00 additional cost per year.

A recruitment was recently conducted for the position of Fleet Services Mechanic for Churchill County. The Road Supervisor and his staff conducted interviews on September 4, 2024. The

position had 16 applicants; seven were interviewed. At the end of the interviews, the Road Department Supervisor selected Daniel Keyes as the best candidate.

Staff is requesting to hire Mr. Keyes with an advanced step appointment, hiring him at Step 5 of the pay range (\$30.73/hour). Title 3 allows for an advanced step placement “to employ a person who possesses superior qualifications”. Such an advanced step appointment must be approved by the board. Mr. Keyes has extensive mechanic and fabrication experience, having worked for the City of Sparks maintaining their fleet vehicles. Mr. Keyes also has extensive certification in various facets of vehicle mechanics including engines, transmissions, suspension, brakes and electrical/electronic systems. In addition to working on light-duty vehicles, he also has experience with diesel engine and transmission repairs.

FISCAL IMPACT: None.

EXPLANATION OF IMPACT: The advanced step placement is equivalent to the wage currently paid for this position. The current Fleet Services Mechanic is at a Step 5 of Grade 54.

FUNDING SOURCE: General Fund.

ACTION REQUESTED: Accept

Chris Spross, Assistant County Manager/HR Director, made this presentation as outlined above.

Chair Getto asked if there was any public comment but there was none.

Commissioner Harry Scharmann made a motion to approve the hiring of Daniel Keyes to the position of Fleet Services Mechanic at an advanced step placement of to Grade 54, Step 5. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

Letters Received:

A- Nevada Division of Environmental Protection provides notice has reviewed the Draft Work Plan/Sampling and Analysis Plan, Monitored Natural Attenuation at Underground Storage Tanks 1 and 6 at Naval Air Station Fallon, Nevada.

The Nevada Division of Environmental Protection (NDEP) provides notice it has reviewed the Draft Work Plan/Sampling and Analysis Plan, Monitored natural Attenuation at Underground Storage Tanks 1 and 6 at Naval Air Station Fallon, Nevada. The Draft WP/SAP is dated August 8, 2024 and was prepared by Liberty JV on behalf of naval Facilities Engineering Systems Command Southwest (NAVFAC SW).

The Drat WP/SAP presents a scope of work to perform monitored natural attenuation (MNA) as the selected remedial alternative at Underground Storage Tank (UST) Sites 1 and 6. The proposed scope of work at UST Sites 1 and 6 includes the following:

- Install a new groundwater monitoring well to replace the exciting damaged monitoring well MW-14 at UST-R Site 6.
- Install free-product recovery systems (passive skimmer or similar technology) in existing groundwater monitoring well MW395F at UST-R Site 1 and in the newly installed replacement well at UST-R Site 6.

- Conduct product recovery of light non-aqueous phase liquids (LNAPL) at MW395F at UST-R Site 1 and at the newly installed replacement well at UST-R Site 6.
- Perform quarterly monitoring of 15 key groundwater monitoring wells at UST Sites 1 and 6 for two years (8 quarters). Groundwater samples will be analyzed for petroleum hydrocarbon-related volatile organic compounds (VOCs) by the United States Environmental Protection Agency (USEPA) Method 8260D, polycyclic aromatic hydrocarbons (PAHs) and pentachlorophenol (PCP) by USEPA Method 8270E Sim, and the following MNA parameters: methane (RSK-175), nitrate and sulfate (USEPA 300.0), ferrous iron (SM 3500-Fe B, and alkalinity (SM 2320B).

The draft Wp/SAP recommends that closure be considered for UST Sites 1 and 6 when the following objectives are met:

1. LNAPL is less than 0.5 inch in all wells for four consecutive quarters; and
2. Concentrations of VOCs, PAHs, and pentachlorophenol in groundwater are stable or decreasing after two years of quarterly monitoring and have not rebounded due to water table fluctuations; or concentrations of VOCs, PAHs, and pentachlorophenol are less than USEPA maximum contaminant levels for four consecutive quarters.

Should LNAPL measurements or contaminant concentrations in groundwater fail to meet the above objectives, the Draft WP/SAP recommends continuation of the groundwater monitoring program. The MNA parameters analyzed during the quarterly groundwater monitoring events will be used to confirm that the groundwater conditions onsite indicate ongoing natural attenuation.

NDEP concurs with the scope of work presented in the Draft WP/SAP. NDEP also has minor comments to the Draft WP/SAP that are included in Attachment A.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

B- Nevada Division of Environmental Protection's Notice of Workshop to Solicit Comments on Proposed Rulemaking under Nevada Administrative Code Chapter 445B.

The Nevada Division of Environmental Protection (NDEP) is proposing regulations that will amend Nevada Administrative Code (NAC) 445(B). The workshop has been scheduled to solicit comments from persons interested in the amendment.

Permanent Regulation R144-24 (P2024-09): The NDEP is proposing to adopt regulation into the NAC Chapter 445B relating to the establishment of certain requirements for the Clean Trucks and Buses Incentive Program pursuant to Nevada Revised Statutes (NRS) 445B.932. This regulation prescribes certain requirements for medium-duty or heavy-duty truck eligibility, the application and approval processes for contractors and entities, the schedule for which the NDEP must review applications, applicable requirements for vehicles being replaced by an

eligible clean truck or bus, the voucher redemption process, and reporting required from entities that receive incentives from the Program.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

C- Nevada Division of Environmental Protection's (NDEP) notification of issuance of a no further action determination for the Spill Report submitted on behalf of Gibson Distribution.

The Nevada Division of Environmental Protection (NDEP) provides notification of the issuance of a no further action determination for the Spill Report submitted on behalf of Gibson Distribution.

NDEP has reviewed information contained in the corrective action file that has been provided by Gibson Distribution and Brandon Reiff, CEM. Based on this review, residual total petroleum hydrocarbons remain in place at depth above reportable concentrations in soil; however, no petroleum constituents are present above residential action levels or remediation standards. Therefore, NDEP has determined that no further assessment or remediation is required to be protective of human health and the environment (NAC 445A.227(1)).

NDEP may re-evaluate this decision if conditions at the site change or if new or previously unidentified information becomes available that: 1) alters the results of the site evaluation; and 2) demonstrates a potential detrimental impact on human or the environment.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

D- Nevada Division Environmental Protection's notification of it's concurrence to the Response to Comments and Redline Strikeout of Final Work Plan/Sampling and Analysis Plan, Monitored Natural Attenuation at Underground Storage Tanks 1 and 6, Naval Air Station Fallon, Nevada.

The Nevada Division of Environmental Protection (NDEP), Bureau of Corrective Actions Department of Defense has reviewed the response to comments on the Draft Work Plan/Sampling and Analysis Plan; monitored Natural Attenuation at Underground Storage Tanks 1 and 6, Naval Air Station Fallon, Nevada (RTCs) and the Redline/Strikeout version of the Final Work Plan/Sampling and Analysis Plan, Monitored Natural Attenuation at underground storage Tanks 1 and 6, Naval Air Station Fallon, Nevada (RLSO Final WP/SAP were received on via electronic mail on August 28, 2024 and were prepared by Liberty JV on behalf of Naval Facilities Engineering Systems Command Southwest (NAVFAC SW).

The RTCs satisfactorily address the NDEP comments. The RLSO Final WP/SAP may be finalized as presented at NAVFAC SW's convenience.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

E- Nevada Division of Environmental Protection's notification of its Concurrence: Response to Comments and Redline Strikeout of Final Third Five Year Review Report, Landfill Operable Unit, Northern Operable Unit, Southern Operable Unit and Installation Restoration Program Sites 5 and 18, Naval Air Station Fallon, Nevada.

The Nevada Division of Environmental Protection (NDEP), Bureau of Corrective Actions Department of Defense Branch has reviewed the Response to Comments on draft Third Five-Year Review Report, Landfill Operable Unit, Northern Operable Unit, Southern Operable Unit and Installation Restoration Program Sites 5 and 18, Naval Air Station Fallon, Nevada (RTCs) and the Redline/Strikeout version of the Final Third Five-Year Report, Landfill Operable Unit, Northern Operable Unit, Southern Operable Unit, and Installation Restoration Program Sites 5 and 18, naval Air Station Fallon, Nevada (RLSO Final Five-Year Review are dated August 28, 2024 and were prepared by Bethel-Tech JV on behalf of naval Facilities Engineering Systems Command Southwest (NAVFAC SW).

The RTCs satisfactorily address the NDEP comments. The RLSO Final Five-Year Review may be finalized as presented at NAVFAC SW's convenience.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

Old Business:

A- Consideration and possible action re: Rescheduling of special meeting to canvass the votes of the 2024 General Election in November 2024.

Previously, the board had scheduled a special meeting to canvass the votes of the General Election for November 15, 2024 at 5:00 PM, not being aware that this was a Friday. The board is being asked to reconsider the date and time of the meeting, which must occur no later than November 15, 2024. The Clerk/Treasurer's Office is requesting that it be set early on Friday, November 15th, if possible, to allow them sufficient time to verify signatures on ballots considering the holiday that falls on Monday, November 11th.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Deputy Clerk of the Board Moore said what we would like to reschedule the meeting previously set. It was originally set for a Friday, although you guys did not realize that. We were thinking Thursday night would be perfect. If you are available on Thursday at 5:00 PM, that would work for us because we believe we will still be preparing things to present to you that evening. We think we will need Thursday to work on that. If that works for you, great. Otherwise, we can

keep it on the 15th and just do it earlier in the day, whatever you prefer. We can make Thursday evening work. Commissioner Heath said that is November 14? Deputy Clerk Moore confirmed that.

Chair Getto asked if there was any public comment but there was none.

Commissioner Justin Heath made a motion to reschedule the special meeting to canvass the votes of the 2024 General Election for November 14, 2024, at 5:00 PM. Commissioner Harry Scharmann seconded the motion, which carried by unanimous vote.

New Business:

A- Consideration and possible action re: Apportionment of the Fiscal Year 2024 greater-than-anticipated geothermal revenue, in the amount of \$481,593.97.

Churchill County has received a total of \$1,181,593.97 in geothermal revenues in fiscal year 2024, which resulted in greater-than-anticipated budgeted revenues in the sum of \$481,593.97. The recommendation is to allocate the greater-than-anticipated general revenue as follows: \$452,612.91 to Social Services for expenditures not covered by grant revenues, \$336,000 for the entire 270 N. Maine St. remodel, and the remaining \$116,612.91 for various expenditures including two vehicles; increase the Building Reserve Fund by \$51,741.95, since the ending fund balance is below budget. These allocations included a reduction of the budgetary allocation to the Debt Service by \$-22,760.89 since only 15% is required due to debt covenants.

FUND	%	BALANCE	BUDGET AMOUNT	APPORTIONMENT OVER (UNDER) BUDGET
General Fund	29%	\$ 342,662.22	\$200,000.00	\$ 0.00
Social Services	22%	\$ 259,950.69	\$150,000.00	\$ 452,612.91
Debt Service	15%	\$ 177,239.11	\$200,000.00	\$ -22,760.89
Building Reserve	19%	\$ 224,502.84	\$100,000.00	\$ 51,741.95
Extraordinary Repairs	15%	\$ 177,239.11	\$ 50,000.00	\$ 0.00
TOTAL		\$1,181,593.97	\$700,000.00	\$ 481,593.97

FISCAL IMPACT: As outlined.

EXPLANATION OF IMPACT: Funds as outlined above.

FUNDING SOURCE: As outlined.

ACTION REQUESTED: Accept

Comptroller Sherry Wideman made this presentation as outlined above.

Chair Getto asked if there was any public comment but there was none.

Commissioner Harry Scharmann made a motion to approve the apportionment of the

greater-than-anticipated FY24 geothermal revenue as recommended by the Comptroller. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

B- Consideration and possible action re: Apportionment of the Fiscal Year 2024 greater-than-anticipated CTX revenue, in the amount of \$168,988.94.

Churchill County has received a total of \$8,630,988.94 in CTX revenue for Fiscal Year 2024, which resulted in greater-than-anticipated revenues in the sum of \$168,988.94. It is recommended to leave apportionments as allocated except for transferring an additional \$168,972.94 to the Social Services Fund to cover expenditures not covered by grants, which normally could have been covered by the CC Communications transfer of \$200,000, which is no longer happening.

The total budgeted amount was \$8,462,000 which went to the following funds:

FUND	TOTAL	BUDGET AMOUNT	ADDITIONAL APPORTIONMENT
General Fund	\$7,668,972.94	\$7,500,000.00	\$ -168,972.94
Social Services	\$ 50,004.00	\$ 50,000.00	\$ 168,976.94
Parks & Recreation*	\$ 550,008.00	\$ 550,000.00	\$ 8.00
Compensated Absences	\$ 67,008.00	\$ 67,000.00	\$ 8.00
Building Reserve	\$ 249,996.00	\$ 250,000.00	\$ -4.00
Extraordinary Repairs	\$ 45,000.00	\$ 45,000.00	\$ 0.00

FISCAL IMPACT: As outlined.

EXPLANATION OF IMPACT: As outlined.

FUNDING SOURCE: Funds as outlined above.

ACTION REQUESTED: Accept

Comptroller Sherry Wideman made this presentation as outlined above.

Chair Getto asked if there was any public comment but there was none.

Commissioner Justin Heath made a motion to approve the apportionment of the CTX revenue as recommended by the Comptroller. Commissioner Harry Scharmann seconded the motion, which carried by unanimous vote.

Consent Items:

A- Consideration and possible action re: Report of the condition of each fund in the treasury and the statements of receipts and expenditures pursuant to NRS 251.030 and NRS 354.290.

A Fund Balance Report is attached indicating the beginning balance, receipts, disbursements, and the ending balance of each fund for Churchill County as required by NRS 251.030 and NRS 354.290.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

B- Consideration and possible action re: Sheriff's Civil Report for the month of July 2024 totaling \$3,032.00.

The Sheriff's Office provides its Civil Report for July 2024 for the board's review and acceptance. A total of \$3,032.00 was received as revenue for the month.

FISCAL IMPACT: \$3,032.00.

EXPLANATION OF IMPACT: Fees collected help to off-set the services provided.

FUNDING SOURCE: General Fund.

ACTION REQUESTED: Accept

C- Consideration and possible action re: Recorder's Monthly Apportionment Report for August 2024 totaling \$19,604.50 in revenue.

Churchill County Recorder, Tasha Hessey, provides her Recorder's Monthly Apportionment Report for August 2024 totaling \$19,604.50 in revenue for the month.

FISCAL IMPACT: 19,604.50 in revenue.

EXPLANATION OF IMPACT: Fees to help off-set services provided.

FUNDING SOURCE: General Fund

ACTION REQUESTED: Accept

D- Consideration and possible action re: Building Department's Revenue Report for August 2024 totaling \$37,736.11.

The Building Department provides its Revenue Report for August 2024 for the board's consideration and acceptance. A total of \$37,736.11 was received for the month

FISCAL IMPACT: \$37,736.11.

EXPLANATION OF IMPACT: Fees are collected for the issuance of building permits, plan reviews, inspections, etc.

FUNDING SOURCE: General Fund.

ACTION REQUESTED: Accept

E- Consideration and possible action re: Building Permit Activity Report for August 2024.

Provided for the board's review is the report showing 27 permits issued in the month of August 2024. Included in the 27 permits are 2 single-family-dwelling permit, 2 commercial permits, 0 industrial permits, 2 manufactured home permits, and 5 septic permits.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Chair Getto asked if there was any public comment but there was none.

Commissioner Harry Scharmann made a motion to approve the Consent Agenda as

submitted. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

Consider Future Agenda Items:

There were no future Agenda items suggested.

Commissioner and Management Staff Reports:

Chair Getto reported on the following topics:

- I had a busy 2 weeks. I attended the Book, Bites and Beverages at the Library. It was a great fundraising event. I was also able to attend the Library Director interviews that were here in the Commission Chambers.
- I went to the Frazzini Building Dedication, which was a great event, as well.
- I was also joined by the City of Fallon in Churchill County School District for September Suicide Prevention Proclamation and the dying of the fountain.
- I have an IEC meeting after this one.
- I also attended the RTC meeting this morning.

Commissioner Heath reported on the following topics:

- I attended a CART meeting.
- I also attended the Lahontan Conservation District meeting last week.

Commissioner Scharmann had nothing to report.

Assistant County Manager/HR Director Spross reported on the following topics:

- The Library Board of Trustees made an offer and it has been accepted for a Library Director, who will start on October 14, 2024.

Comptroller Wideman reported on the following topics:

- We are working on getting the Fiscal Year closed.
- We have the auditors coming at the end of the month.

Civil Deputy DA Sanford had nothing to report.

Deputy Clerk Moore had nothing to report.

Claims and Payroll Transmittals:

The Claims and Payroll Transmittals were submitted for the board's consideration and approval.

Public Comment:

Chair Getto asked if there was any public comment but there was none.

Adjournment:

The meeting was adjourned at 2:06 PM.

Approved:



Myles Getto, Chairman

Approved:



Harry "Bus" Scharmann, Vice-Chairman

Approved:



Justin Heath, Commissioner

ATTEST:

Linda Rothery, Clerk/Treasurer



Crystal Muschetto, Deputy Clerk