

MINUTES OF THE BOARD OF CHURCHILL COUNTY COMMISSIONERS

155 N. Taylor St., Fallon, NV 89406

September 5, 2024

Call to Order:

The regular meeting of the Board of County Commissioners was called to order at 8:15 AM on September 5, 2024.

PRESENT:

Commissioner Myles Getto
Commissioner Harry Scharmann
Commissioner Justin Heath, via GoTo Meeting
County Manager Jim R. Barbee
Comptroller Sherry Wideman
Deputy District Attorney Joseph Sanford
Deputy Clerk to the Board Pamela D. Moore
Deputy Clerk Crystal Muschetto
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 but there was none.

Verification of the Posting of the Agenda:

It was verified by Pamela D. Moore, Deputy Clerk of the Board, that the Agenda for this meeting was posted on the 29th day of August, 2024, between the hours of 8:00 and 10:00 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:

Commissioner Harry Scharmann made a motion to approve the Agenda as submitted. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

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

A- August 1, 2024.

The Minutes of the meeting held on August 1, 2024 are presented for the boards 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:

A- Recognition of five students from Oasis Academy who have qualified for the National FFA Convention in Indianapolis in October: Grace Laca, Trevor Barrenchea, Joshua Gusewelle, Laynee Diaz for Farm Business Management, and Reese Laca for Dairy Cattle Handler.

Oasis Academy and the Board of County Commissioners will introduce and recognize Oasis Academy FFA students that have qualified for the National FFA Convention in Indianapolis in October. Students are Grace Laca, Trevor Barrenchea, Joshua Gusewelle, and Laynee Diaz for Farm Business Management, and Reese Laca for Dairy Cattle Handler.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Other

The five students who have qualified for the National FFA Convention in October were recognized by the Board of County Commissioners. This item was done for recognition only and no action was taken.

B- Consideration and possible action re: Appointment of Victor Ansotegui and Tami Edgmon to the Churchill County Planning Commission for four year terms commencing October 1, 2024 through September 30, 2028.

The Churchill County Planning Commission has the authority to issue Special Use Permits, Temporary Use Permits, variances, and provides recommendations to the Board of County Commissioners on all land divisions and Sending Site approvals. The Planning Commission is comprised of seven (7) members appointed by the Board of County Commissioners, who serve four (4) year terms.

Current Planning Commission members Deanna Diehl and Paul Picotte are serving terms ending on September 30, 2024. The Notice of Vacancies was advertised and a total of five applications were received from James Sterling, James "Zip" Upham, Christina "Tina" Grainer, Tami Edgmon, and Victor Ansotegui. Interviews were conducted by the County Manager, Assistant County Manager, and the Public Works Director. Recommendation is being made to appoint Victor Ansotegui and Tami Edgmon to four-year terms beginning October 1, 2024 through September 30, 2028.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

County Manager Barbee 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 appoint Victor Ansotegui and Tami Edgmon to the Churchill County Planning Commission for 4-year terms, effective October 1, 2024 through September 30, 2028. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

Victor Ansotegui and Tami Edgmon were sworn in as new members of the Churchill County Planning Commission. The swearing-in ceremony was officiated by Pamela Moore, Deputy Clerk to the Board of Commissioners.

C- Consideration and possible action re: A Reversion to Acreage Map Application filed by the State of Nevada, Department of Wildlife, for property located at 4058 & 4082 Reno Highway, Assessor's Parcel Numbers 008-461-78 and 008-461-77, consisting of 1.0 acre and 1.06 acres respectively, in the C-1 zoning district, whereby the Applicant wants to combine the two parcels into a single parcel.

The Applicant, Nevada Department of Wildlife, is requesting a lot merger (Reversion to Acreage) map to combine two (2) parcels of land owned by the Applicant into one lot. One existing lot contains buildings and a parking lot, while the other has been vacant until recently, with a parking area being constructed. There is no indication that buildings will be constructed across the current parcel line. The merger will allow the Applicant to operate the entire property as one unit. It should be noted that the parcel line to be removed currently has a utility easement that is NOT being abandoned and will remain. If a future building is planned across the former line, the utility easement will need to be abandoned. The resulting commercial use (with parking lot) will continue to meet the zoning code. Note that the county has very little discretion to deny or require changes to a Reversion to Acreage.

Recommended Conditions:

1. Changes shall be made for compliance with Churchill County Code, including, but not limited to:
 - a. Adding a legend to the map.

A copy of the Staff Report and excerpt from the Planning Commission Minutes for the meeting held on August 14, 2024 with their recommendation are provided for the Commissioners' review and decision.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Dean Patterson, Associate Planner, 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 Reversion to Acreage Map Application for the Nevada Department of Wildlife to merge Assessor's Parcel Number 008-461-77 and 008-461-78 into a single parcel, subject to conditions as listed in the Staff Report. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

D- Consideration and possible action re: Application for support funding for the Fallon Youth Club in the amount of \$8,500, with an annual update on activities.

Churchill County has a long-standing history of supporting the Fallon Youth Club (FYC) in the amount of \$10,000 annually; although for FY24 a one-time increase was provided, bringing the total to \$15,000 last year. This year, due to budget reductions, the FYC was notified that the community support budget line items were reduced by 15%, which resulted in an amount of \$8,500 in support included in the final budget under the FYC line item.

For the past 19-years, the FYC has provided quality, low-cost, after-school programming for the children/youth of this community. FYC Executive Director, Shannon Goodrick, will provide an update of activities.

FISCAL IMPACT: FY25: \$8,500 +/-

EXPLANATION OF IMPACT: The Fallon Youth Club line item within the Community Support Budget has been funded each year with \$10,000. Due to budget reductions, the FY25 budget set-aside was \$8,500.

FUNDING SOURCE: Community Support/Fallon Youth Club: 100-401-58558

ACTION REQUESTED: Accept

Shannon Goodrick, Director of the Fallon Youth Club, said hello and thank you so much for having us here again. We love being able to come in and talk about our program and all that we do. This has been a year of growth and change for the club. As we know, growth is not always painless. We have continued our partnerships with the School District and Coalition for grants and programs which we all share, including academic enrichment activities and tutoring. Our numbers are stable.

The big changes have been in the opening of the Little Club House. In April, we opened our doors and were faced with challenges in relation to the employment market. We were surprised to find those we hired would go to lunch and not return. This issue presented a challenge because we are required to maintain a certain ratio. Presently, we have made it through the bulk of those by process of elimination. We reconfigured our spaces because we missed the mark on what the need was in the community. We set aside enough square footage for 70 children between the ages of 3 and 5, then realized that was not where the need was. We had a waiting list of 43 children that were under the age of 2. We had space set aside for the older children and no use for an area that large. We went back to the state and had our license adjusted to better suit the number of children in each age group. We have dropped that number from 70 to 52 of the preschool and kindergarten aged children and increased those aged 6 weeks through 2 years. Currently, we have 14 full-time staffed at the Little Club House and 2 part-time staff. We

have 6 full-time staff and 6 part time at the Big Club House, for a total of 28 employed in the community. On average, we serve about 175 children a day between both locations. We can serve upwards of 200 children a day if attendance is good.

Our engagement with the community and the need we identified in early childhood evolved from a recognized necessity into a central focus of our board's passion project. While the experience has been highly rewarding, it has not been without its challenges. None of this would have been possible without the ongoing support of government agencies, municipalities, grantors, and the community at large. Thank you very much.

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

Commissioner Harry Scharmann made a motion to approve funding in the amount of \$8,500.00 for the Fallon Youth Club for Fiscal Year 2025. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

E- First Reading - 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.

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 and other

matters relating thereto.

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 of permanent residential and non-residential facilities to 3 years.

Civil Deputy DA Sanford 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 set Bill 2024-D, Ordinance 32, for a public hearing on September 18, 2024. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

F- Consideration and possible action re: Joint Proclamation with the City of Fallon and Churchill County School District declaring September 2024 as Suicide Prevention and Awareness Month.

Since May 2024, community members have come together to develop a Crisis Intercept Model and Suicide Prevention Plan. The plan is not complete but has increased insight into community education and support that is needed.

Suicide is real in the community and many are either unaware of the help that is available or feel ashamed to ask for help when needed. Stigmatism is real around mental illness, not only in our community, but worldwide. As the community moves forward to reduce overall stigmatism, it is the goal to utilize awareness campaigns to educate the community on resources available, increase engagement on resources and access barriers, and overall increase community involvement.

September 2024 is Suicide Prevention and Awareness Month. We are asking Churchill County, the City of Fallon, and the Churchill County School District to approve the joint Proclamation for our community. If approved, the proclamation will be read at the kick-off event on September 9th, 2024, at 3:30 PM at the Maine Street fountain. There will be a reading, handouts of items from Nami, a suicide prevention support organization, and a ceremonial dying of the fountain. Starting on the 9th, a joint media campaign will kick off with daily messages on resources, support, and awareness information through the county and school district media outlets. The city's participation was not confirmed at the time of this agenda report.

September is not the only month this all will take place. It is the goal of the committee to develop a calendar of events all year long to increase resource access, community/educator training, and build a supportive community overall.

FISCAL IMPACT: None.

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Social Services Director Ernst 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 adopt the Proclamation declaring September 2024 as Suicide Prevention and Awareness Month and to support education as presented. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

Letters Received:

A- Nevada Division of Environmental Protection's review and comments to the Draft Five-Year Review for the Landfill Operable Unit (LFOU), comprising Installation Restoration Program (IRP) Sites 20, 21, and 22; the Northern Operable Unit (NOU), comprising IRP Site 5; and IRP Site 18 at Naval Air Station Fallon, Nevada.

The Nevada Division of Environmental Protection (NDEP) provides notification of its review and comments to the Draft Five-Year Review for the Landfill Operable Unit (LFOU), comprising Installation Restoration Program (IRP) Sites 20, 21, and 22; the Northern Operable Unit (NOU), comprising IRP Site 5; and IRP Site 18 at Naval Air Station Fallon. The Draft Five-Year Review evaluates the implementation and performance of site remedies to determine whether these remedies are, and will continue to be, protective of human health and the environment. The review includes the following operable units and individual sites: the Landfill Operable Unit (LFOU), comprising Installation Restoration Program (IRP) Sites 20, 21, and 22; the Northern Operable Unit (NOU), comprising IRP Site 5; and IRP Site 18.

This review was prepared for the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) remedies selected for sites at Naval Air Station (NAS) Fallon where contamination remains at concentrations above levels that allow for unlimited use and unrestricted exposure (UU/UE). Currently, remedies have been selected for the LFOU, NOU, and SOU, and IRP Sites 5 and 18. This is the third Five-Year Review for the LFOU and the second Five-Year Review for the NOU, SOU, and IRP Sites 5 and 18.

This Draft Five-Year Review Report includes available finalized data for sites from the period between January 2019 and January 2024. The overall conclusion of the Draft Five-Year Review is that the remedies are functioning as intended by the decision documents for the LFOU, NOU, SOU, IRP Site 5 and IRP Site 18. Additionally, the exposure assumptions, toxicity data, cleanup levels, and ROAs used at the time of remedy selection are still valid and no other information has come to light that would question the current protectiveness of the remedies. The Draft Five-Year Review notes that the emerging contaminants of concern per- and polyfluoroalkyl substances (PFAS) have been detected above screening levels in soil and groundwater at IRP Sites 2, 3, and 4 in the NOU and IRP Site 1 in the SOU. Future remedial action may be required based on findings of the upcoming PFAS remedial investigation at these

sites.

The NDEP has comments to the Draft Five-Year Review which are included in the attachment.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED:

B- Nevada Division of Environmental Protection's (NDEP) Review of the Second Quarter 2024 Groundwater Monitoring Report for the City of Fallon's Maintenance Yard.

The Nevada Division of Environmental Protection (NDEP) has received and reviewed the Second Quarter 2024 Groundwater Monitoring Report for the City of Fallon's Maintenance Yard (site) dated August 16, 2024. The report summarizes the monitoring and sampling activities at 12 site monitoring wells conducted on June 27, 2024. Depth to groundwater in site monitoring wells ranged from 5.38 to 7.90 feet below ground surface (ft bags). The estimated groundwater flow direction was towards the south-southeast at a gradient of 0.001 feet/foot. Dissolved phase contaminants were detected in groundwater samples above the U.S. Environmental Protection Agency (EPA) maximum Contaminant Levels (MCLs) and/or the Nevada State Action Levels (SALs) for the following analytes: Methyl tert-butyl ether (MTBE): 8.2 to 42 µg/L; exceeded action level (20 µg/L) in 2 of 12 sampled wells.

The report recommends continuation of the quarterly groundwater monitoring and reporting program. NDEP concurs with this recommendation. A completed conceptual site model is also anticipated to be submitted by Broadbent before the end of Third Quarter (2024). The next quarterly report is due no later than October 28, 2024.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

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: Treasurer's Report for July 2024 showing a total of \$62,294,435.96 in the bank.

Clerk/Treasurer Linda Rothery provides the Treasurer's Monthly Report for July 2024 showing a balance of \$62,294,435.96 in the account. The bank reconciliation was completed on August 8, 2024. This report is provided for the board's information and acceptance.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

C- Consideration and possible action re: Notification of Burial Application #3ED5986DB, which was approved August 26, 2024

Notification of Burial Application #3ED5986DB, which was approved per NRS 428.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: Social Services Indigent Fund.

ACTION REQUESTED: Accept

D- Consideration and possible action re: Notification of Burial Application #358E6D22C, which was approved August 26, 2024.

Notification of Burial Application #358E6D22C, which was approved per NRS 428.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: Social Services Indigent Fund

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:

- Meeting with Mayor yesterday.

Commissioner Heath had nothing to report.

Commissioner Scharmann reported on the following topics:

- Met with Harvey Whittemore and Sherry Hughes and then talked to Jim about it. They are asking for a workshop to iron out differences on their land so they can proceed.

County Manager Barbee reported on the following topics:

- Grand Opening of Frazzini Building at 3:00 PM today.

Comptroller Wideman had nothing to report.

Civil Deputy DA Sanford had nothing to report.

Deputy Clerk of the Board Moore had nothing to report.

Sheriff Hickox reported on the following topics:

- I was in Elko for the POOL/PACT Conference.
- Finishing the hiring of 2 detention and dispatch staff.

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.

Quarterly Jail Inspection:

A- Pursuant to N.R.S. 211.020, the Commissioners will conduct the Quarterly Jail Inspection at the Churchill County Jail upon the close of meeting to inquire into the security of the jail and treatment and condition of the prisoners.

Pursuant to N.R.S. 211.020, the Commissioners will conduct the Quarterly Jail Inspection at the Churchill County Jail upon the close of meeting to inquire into the security of the jail and treatment and condition of the prisoners. A report of the inspection will be prepared and recorded.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

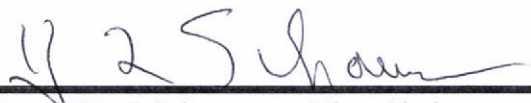
ACTION REQUESTED: None; Informational Only

The quarterly jail inspection was canceled due to not having a quorum and will be rescheduled.

Adjournment:

The meeting was adjourned at 8:38 AM.

Approved: 
Myles Getto, Chairman

Approved: 
Harry "Bus" Scharmann, Vice-Chairman

Approved: 
Justin Heath, Commissioner

ATTEST:
Linda Rothery, Clerk/Treasurer


Pamela D. Moore, Deputy Clerk of the Board