

MINUTES OF THE BOARD OF CHURCHILL COUNTY COMMISSIONERS

155 N. Taylor St., Fallon, NV 89406

May 6, 2021

Call to Order:

The regular meeting of the Board of County Commissioners was called to order at 8:15 AM on May 6, 2021.

PRESENT: Commissioner H. Peter Olsen, Jr.
Commissioner Gregory Koenig
Commissioner Justin Heath
County Manager Jim R. Barbee
Comptroller Sherry Wideman
Chief Deputy DA Benjamin Shawcroft
Clerk/Treasurer Linda Rothery
Deputy Clerk to the Board Pamela D. Moore

ABSENT: N/A

Pledge of Allegiance:

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

Public Comment:

Chairman Olsen asked if there was any public comment but there was none at the first call. After the introduction of Teri Hedgpeth, Commissioner Koenig said the Birch Lane Zone Change Application filed by Kim McCreary had been withdrawn, so it is not on the Agenda today, but I feel that there are people here on that item. He suggested that, if these people wanted to make public comment, we could open it back up for comment but that, if they did not want to stay, the item may come before the board at a later date so they could comment at that time.

Chairman Olsen opened the floor to public comment again. He explained the process for making public comment and said that he had a huge stack of letters from citizens on the issue and had received multiple phone calls, as I am sure my fellow Commissioners have. We appreciate the public giving us their thoughts on the matter. I think, at the end of the day, we will come to a better decision the more engaged the public is.

County Manager Barbee wanted to clarify that the property owner/developer has withdrawn the Zone Change Application, so it is gone at this point. If that property owner/developer chooses to move forward in any manner in the future, that process will begin over again. It will go through the Planning Commission and then make its way to the Board of County Commissioners. Any of those Agenda items, either for the Planning Commission or the Board of County Commissioners, will have to be posted prior to the meeting. If it is going to be on an Agenda, you will know before the meeting once the Agenda is posted. We do not know, at this point,

what the next steps will involve as we do not know what the developer may do.

Chairman Olsen explained that, because this item has not been agendaized, the board cannot make any comment due to the Open Meeting Law. You are able to come up, say your piece, and then we can just listen. Please come forward if you want to make public comment but this will not be the last time you see this issue.

Mike Pennick said I live at 2121 Silver Circle. I love Fallon and moved here 13 years ago because I can't think of a better place to live after spending 24 years in the military. I lived all over the world and I chose Fallon for the way that Fallon is. Sure, there are a lot of people that want to move here and you have to deal with that. Right now, by my actual count, there are over 50 spots on Coleman Road that are zoned and the infrastructure is there to put housing, so that is 50 places. If you go up Maine Street where they are building houses, there are another 20 spots where there is infrastructure in place to put 20 houses there, so that makes 70 houses. If the zoning stays the way it is right now, E-1, you could put quite a few houses in the Birch area, although I do not know exactly how many, but you could put quite a few one-acre houses right there the way it is. I, along with all of my neighbors, encourage you to keep it the way it is because that is the way that Fallon is and we love it.

Jaime Shafer said I live at 2205 Christie Circle and I am also here to address the Birch development. We have lived here for 4 years and I know I am not a long-term resident but we love the neighborhood we live in because it is small and people look out for one another. We were very disheartened to hear about the proposed development, mainly because we have such a great community. I grew up in a small community very much like Fallon, which is why we came here. I hope that you will reconsider when that comes through how we approach it. I know there is a need for housing but we hope you will reconsider that.

Allen Dodson said I do not live in the Birch area but I figured I would jump in on this opportunity. I live at the end of Gummow on the corner of Gummow and Hillsboro and what I am concerned with is that narrow road is becoming very unsafe. I have lived there for 25 years, I am a Nevada resident, and I have lived here all my life. I love the place but I am well aware that progress is going to happen and well aware that growth is going to happen, but I would like to know what you have planned as far as safety on that turn. I live probably 200 feet from that road and these people that are coming here are using that road as their own personal amusement race track. It is becoming a health issue because, just as you start to relax, somebody decides they are going to test out their new car, their Harley or Dodge diesel, and it has become insane. I am probably not the only one down in that neighborhood that is concerned. From what I understand, you just had a wreck on that corner recently. I would like to propose that you start looking at safety issues. If that growth is going to go out there, we need to start doing something about that turn, such as speed bumps, which I think would work the best in certain areas. If it were rumble strips, I would hear them all night. We can no longer leave our windows open anymore at night because there is a crew running around here with these little zippy cars and I do not know if they have some kind of club or what they are doing, but Saturdays seem to be an issue. I appreciate the fact you gave me time to talk, although I am sorry to jump in on your Birch deal, but when opportunity knocks, you take it. I am not here to stop growth but we have to do something to

make sure that we take care of the well-being of the rest of the public. I decided to buy that place and move there and retire. I just paid it off. Now, I want to move but the growth has increased the prices of houses and now I can't even move. I appreciate your time.

Dale Thomas said I live at 1355 Pine Road and have been in Fallon for 30+ years. I moved to Pine Road 27 years ago. We moved there because of the type of lots they have with room and a country feel to them. I was visiting with a person who had a little knowledge about the road traffic on Allen Road. In one day, they counted 6,800 cars on Allen Road. That is pretty incredible. I think Allen Road is maxed out. If this development is proposed to have multi-family units, low-income units, I think traffic down Pine and Cedar will be intolerable and it will become like what the gentleman said about Gummow and Hillsboro. It is somewhat, already. I am not supposed to get emotional and am supposed to be technical, but Birch will be overloaded with that kind of housing development. It sounds like it was proposed to have 400-500+ units and I do not think that has changed. I think the Application for your consideration was withdrawn because of some of the work that was not done, such as the study, and I think it will be resubmitted again. My hope is that you will consider the water, the sewer, the traffic, the crime, and all of those things. We live where we live because of the way things are. It is not a matter of not-in-my-back-yard; it is a matter of knowing that growth will come but what kind of growth will be permitted to be there. That will be on the Planning Commission and will come before you for approval. I hope and pray that you do not rubber stamp it without real consideration of the people who live in that area because of the lifestyle that we live there. Please consider that and thank you.

Lou Dupont said I live at 1385 Pine Road and am fairly new in town. I just purchased the place in January. One of the main reasons for that purchase was because of the rural feeling, the quietness, and the lack of automobile traffic. In the 40 minutes that I was on the property looking at it, the only car that came down Pine Road was the seller. He thought that I would be gone by then. He turned out to be a great fellow and told me all of the good things about the neighborhood, the cleanliness, the quietness, and the good neighbors. I bought the place on a handshake, basically, but then the realtor jumped in and said we had to put paperwork in. That was the only stumbling block to me moving in the next day. I moved up from the bay area from a little town called Suisun City that was small when I moved in 25 years prior. It had blossomed to over 30,000 people and the atmosphere wasn't anything that I wanted to live in anymore. I chose Fallon over Washoe County because of the politics. I like the small town feeling. I was based at the Naval Air Station, which was still an auxiliary air station in 1967, and the affection towards Fallon never left. I hope you consider the neighbors, the neighborhood, and I hope it is not just a revenue enhancement thing for the quick money for the permits that would be drawn at construction. I understand that growth has to happen but, if we could control it, I know the neighbors would be much appreciative. Thank you for your time.

Deputy Clerk Moore said if anyone did not receive the notification letters, please make sure that your name is printed on the sign in sheet so that I can read it and put your address down so that you can be added to the notification database.

Nancy Hoggard said I am at 1495 Pine Road. I had no intentions of speaking today but,

following up from the comments from the gentleman on Hillsboro, through our community getting involved in this and trying to have a say in our future, it is not your future. You guys just get to spend more money from the tax base, but this is our lives. I think the various people in the neighborhood have had contact from other people around the county who are very aware that, if it could happen to us, it can happen to them. I encourage other people from other neighborhoods in addition to ours to stay active. I would also request, which I am sure that this might not be all of your regulations, to involve some members from the local community in the next planning stages because this will happen again. It has been stated that it will happen again for a request for a zoning change and a PUD. I would like to make a formal request to include some members of the community, although I am not saying me, to participate in that process. I would like to end by reading directly from *The Fallon Post* interview at Candidates Night from Commissioner Koenig who said that he "was here to fight for Fallon's rural lifestyle". We are not an urban center, but we do have a special way of life here. I hope that you will stick up for that. Thank you.

John Chester said I live at 2400 Mountain View and I built my home there when I bought it from Mr. Smart. At that time, Birch didn't go all the way through and then they started building up that area to the west of me. It wasn't long after that that my well went dry. Recently, to the back of me, the Byrd's well went dry and then the Manha's well went dry. I know we have a water problem here that nobody is addressing. With regard to the sewer, how are they going to handle that? That little creek has something wrong that we need to address. We need to look into it a little harder. Once they put all those homes in there, it is not just Birch that they are talking about and you know that. When I built my home, one of the main reasons I bought that property is because it was one-acre parcels and Birch was not a thoroughfare. It was a beautiful place. It is more open now and it is not why I bought it. Thank you for your time.

Phil Stys said I live at 2910 Dallas Drive. I just came down Birch and they have a survey crew out there, just as a side note. I drive down Birch to get to my house. The other day, I was driving to Fernley and looked over the wall they have there and thought that is what this is going to look like where you drive down there into all of those houses that are 10 feet apart. I want to see a plot map for what they are proposing. I feel like I am talking into air if I can't see the proposal itself. I do not know why they can't put their own street in. They have enough acreage there. I am totally against it and think that the Birch people are getting a bad shake, even if they put up a 10 foot wall.

Dennis Dalla said I live at 1415 Pine Road. I am not an expert, by any means, but I believe the current zoning would even allow you to include a PUD in the building that is going on there. That is the only way that we feel we can keep it halfway under control. I am still trying to do my research on it but, to rezone it so that you could possibly put a 600 unit apartment building in there, would just be wrong for our area. I love the idea of putting in their own road as a buffer. Thank you and I will see you again.

Harold Marchant said I live on Silver Circle and my understanding of this, when I was contacted, was that you want to rezone the area south of there for multi-family dwellings. The thing is that you have a big attraction called Walmart that draws a lot of people, then here is a

quiet neighborhood and then, to the south of it, you have more people and multiple dwellings. You are taking a quiet neighborhood and squeezing it between the Walmart attraction and the multiple dwellings with more people. This brings in more traffic. It is within walking distance of Walmart, so you get people walking and riding bikes through the neighborhood. I do not know if the streets can take it because it is quiet. It seems to me that what is wrong here is to put multiple dwellings and the Walmart with the quiet neighborhood in between, which will not be a quiet neighborhood anymore. If there is some way to work it out. It would be nice if we could move us out and them in, but that is impossible. I do not think it is a great place. It will not be a nice place to be being surrounded on both sides by busy streets, people, and so forth. Thank you.

Chairman Olsen asked if there were any further comments but there were not, so he closed the public comment section.

Verification of the Posting of the Agenda:

It was verified by Pamela D. Moore, Deputy Clerk to the Board, that the Agenda for this meeting was posted on the 29th day of April, 2021, between the hours of 11:00 AM and 12:00 PM at all of the locations listed on the Agenda, in accordance with NRS 241 and the Governor's Directive for posting during the Pandemic.

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

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

Appointments:

8:15 AM - Consideration and possible action re: Introduction of New Museum Director, Teri Hedgpeth

County Manager Jim Barbee will introduce newly hired Museum Director, Teri Hedgpeth who officially started with the county on April 19, 2021.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

County Manager Barbee said that Teri did a fantastic job through her interview process. When she came out to Fallon, a group of us representing the Museum Board and Teri walked through the Museum and it was amazing the amount of ideas that she had and the passion that she exhibited just through that very first walk-through. I have been following things on Facebook, although I have not been over to the Museum yet due to the road construction, but they have already updated and are in the process of changing out several of the exhibits, including the Truckee Canal Irrigation District (TCID) exhibit. She is doing a great job and we are very excited to have her here. I want to welcome her to the community. I would give her the opportunity to talk about some of her background and history and some of the things that she has already engaged in with the Museum.

Teri Hedgpeth said I am absolutely excited to be here. I have a passion for history, as Jim stated. I have over 20 years of experience in archives, museums, and other historic entities. This is not my first non-profit. This is my first dual arrangement where we are working with the county and the Museum Association, so it has been interesting working and learning how to make sure everything is coded properly and handled correctly. I am very excited because you have a fantastic Museum and I am just looking to update it, put a fresh coat of paint on it, change some of the exhibits, and increase the ability for people to understand the history of Churchill County and the northern Nevada region.

Chairman Olsen said I want to welcome you here. We look forward to great things coming from the Museum. Commissioner Koenig said this is totally unrelated but do we have a meeting tonight at 6:00? Ms. Hedgpeth stated that we do have a short meeting this evening. Commissioner Heath thanked Teri for coming on board.

This item was done as a means of introducing Ms. Hedgpeth and no action was taken.

8:20 AM - Public Hearing - Consideration and possible action re: Bill 2021-B, Ordinance 7, an ordinance amending Title 3 of the Churchill County Code, repealing COVID Leave Policies and repealing the chapter referring to the Employee Management Committee

This item was presented at the board meeting of April 21, 2021 for a First Reading. In May of 2020, the board approved passage of two new policies to be added to Title 3 of the Churchill County Code. These two policies enacted Emergency Paid Sick Leave (EPSL) and Emergency Family Medical Leave (EFML), special leave provisions that were federally mandated by the Families First Coronavirus Response Act (FFCRA). The federal regulations approved under the FFCRA expired on December 31, 2020. The county voluntarily approved an extension of the policy, with modifications, through March 31, 2021. While more recent federal legislation has been enacted (the American Rescue Plan Act - ARPA), this new legislation no longer mandates a continuation of EPSL and EFML. Also, the surge of COVID cases for Churchill County employees took place primarily in December 2020 and January 2021.

Now that the number of cases have reduced significantly and since ARPA makes the special leave voluntary, staff seeks to have those provisions removed from Title 3. The sections to be removed are 3.40.072 (Emergency Paid Sick Leave) and 3.40.074 (Emergency Family and Medical Leave). Employees will still be allowed to utilize sick leave, annual leave, and other pertinent leave they have accrued for COVID-related absences. Employees who do not have leave balances (such as new employees and casual employees) will be able to take necessary time off unpaid.

In addition to the repealing of these two sections, staff is also requesting the repeal of Chapter 3.56 from Title 3. This section addresses the Employee Management Committee (EMC). The Employee Management Committee is made up of employees and management staff - much of their function in more recent years has been to plan and carry out employee appreciation events (like summer barbecues, the employee appreciation dinner, etc.) and to manage the Jim Regan Scholarship Fund (and related fundraising activities). Over the years the county has had many

dedicated employees serve on this committee and their efforts are greatly appreciated.

In the last couple years, there has been difficulty finding employees and management staff who are willing to serve (and who have the time to serve) on the EMC. Furthermore, the EMC as it is currently set up in Title 3 must meet under Open Meeting Law requirements, which thus requires a quorum for them to conduct any business. Quorums have been difficult to reach in the last year and thus the EMC is unable to conduct its business. Recently the County Manager, Jim Barbee, joined the EMC as a management representative and has witnessed first-hand the inability for the EMC to attain a quorum.

In place of the EMC as outlined in Title 3, Mr. Barbee has discussed the option of having an ad-hoc committee under the County Manager's purview. Mr. Barbee indicates this idea has also been mentioned by other current members of the EMC. This committee would then not fall under Open Meeting Law requirements and would not have the strict membership requirements of the EMC. Human Resources Director Geof Stark, having checked with the District Attorney's Office and consulted with POOL/PACT-HR, is unaware of any law that requires this type of committee to exist. While this committee has existed for at least 25 years, it appears that it may be time for the EMC to no longer be a standing committee under the provisions of Title 3.

FISCAL IMPACT: \$0

EXPLANATION OF IMPACT: If anything, the county will see a savings via the proposed changes. Elimination of the special COVID leave will require employees to use the sick and annual leave they already accrue, without having to provide additional paid leave.

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

SUMMARY: Bill No. 2021-B, Ordinance No. 7, an ordinance repealing sections 3.40.072, 3.40.074, and Chapter 3.56 of Title 3 of the Churchill County Code for those employees under the direct and indirect jurisdiction of the Board of County Commissioners to the extent of the laws permitted by the State of Nevada: 3.40.072 Emergency Paid Sick Leave, 3.40.074 Emergency Family and Medical Leave, and Chapter 3.56 Employee Management Committee.

TITLE: AMENDMENTS TO PROVISIONS OF TITLE 3.

Human Resources Director Stark made this presentation as outlined in the Agenda Report. He said he had distributed this ordinance to all employees via email and received only one comment from an employee back. That employee had served on the Employee Management Committee before and they were in favor of this because they had to deal with trying to get business conducted but were not able to do it because of the Open Meeting Law requirement. I did not hear from any other employees.

Chairman Olsen asked if there was any public comment but there was none.

Commissioner Gregory Koenig made a motion to adopt Bill 2021-B, Ordinance 7, as

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

8:25 AM - Consideration and possible action re: Modifications to Class Specification for Library Assistant

Recently, the employee who was employed in the position of Library Assistant at the Churchill County Library was promoted to a Librarian. This left a vacancy in the Library Assistant position and provided an opportunity to review the job description (class specification) for accuracy. The review led to changes in several of the job functions (as indicated in the attached job description) which are being presented to the board for consideration. There is no change proposed for the pay grade for the position.

FISCAL IMPACT: \$0

EXPLANATION OF IMPACT: The position would still be hired at the same pay grade, so there is no budgetary impact.

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Human Resources Director Stark made this presentation as outlined in the Agenda Report and stated above.

Chairman Olsen asked if there was any public comment but there was none. Library Director Lloyd said we are trying to get our Library staffed so that we can increase our hours and this is just part of that process.

Commissioner Koenig said you are taking out the microfilm research from this? Ms. Lloyed said, actually, microfilms are still very important in libraries. We know that the Museum has one that actually prints but we do not have one. Microfilm machines cost about \$25,000, so we are sharing that piece of machinery with the Museum.

Commissioner Justin Heath made a motion to approve the modifications to the Class Specification (job description) for Library Assistant as submitted. Commissioner Gregory Koenig seconded the motion, which carried by unanimous vote.

8:30 AM - Consideration and possible action re: Changes to Section 125 Flexible Spending Accounts (FSAs), allowing a carryover of funds through June 30, 2022

Recent legislation and federal regulations have been put in place that allow modifications to an employee's Flexible Spending Account (FSA). An FSA allows an employee to set aside monies in pre-tax dollars for medical expenses and childcare expenses. These accounts are typically "use-it-or-lose-it" accounts, with employees having to spend the money by the end of the plan year or else they will forfeit their funds.

Because of the impacts of COVID, people have not been able to utilize the funds in their FSAs. Many medical providers reduced the number of patients they were seeing or would only see patients with more serious medical conditions. In addition, people have avoided going to their medical providers for minor conditions or non-emergent procedures. COVID-19 also impacted

people's usage of child care. Either childcare centers were closed, other alternatives were offered, or people stayed home to care for their children. Because of these impacts, employees set aside funds in their HSAs but did not use them.

Recognizing this challenge, the federal government is allowing plans to make temporary changes allowing employees to carryover their funds through the end of the plan year that ends in 2022. (For Churchill County, that plan year runs from 7/1/21 through 6/30/22.) Churchill County has several employees who did not expend all their FSA funds in plan year 19-20 and again in 20-21. To address this, the Insurance Advisory Committee met on April 21, 2021 and unanimously approved a recommendation that would allow employees to carryover those unused funds through the end of the 21-22 plan year.

In order to do this, four separate actions have to be taken:

- Allow rollover of an employee's funds in a medical FSA for plan year 19-20 into plan year 20-21,
- Allow rollover of an employee's funds in a medical FSA for plan year 20-21 into plan year 21-22,
- Allow rollover of an employee's funds in a dependent care FSA for plan year 19-20 into plan year 20-21,
- Allow rollover of an employee's funds in a dependent care FSA for plan year 20-21 into plan year 21-22.

Taking these actions will ensure employees have time to utilize their funds. An employee who fails to fully utilize these funds in plan year 21-22 would forfeit the unused funds to the county. An employee who carries over the funds would be responsible for the monthly service fee of \$5.25/month for the full plan year.

FISCAL IMPACT: Potentially \$15,000

EXPLANATION OF IMPACT: Currently, there is a total of approximately \$15,000 in FSA funds that have not been utilized in plan years 19-20 and 20-21. The unused funds would be forfeited to the county if the carryovers are not approved. It has been the county's preference for the employees expend these funds and not forfeit them to the county.

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Human Resources Director Stark made this presentation as outlined in the Agenda Report and stated above.

Chairman Olsen asked if there was any public comment but there was none.

Commissioner Koenig said the total cost, if everyone used all of their FSA money, would be \$15,000? HR Director Stark said what I did was to look at reports from this year and the previous plan year and we have about \$15,000 in unused money right now. That does not mean

that some people might not use that by June 30, 2021, so they could have used it anyway. Rather than the money rolling to the county, which is what would happen, the employees would still have access to that \$15,000, which is really money that they put into those accounts, so they would still have an opportunity to use that for another 12 months. Commissioner Koenig said then the maximum would be \$15,000? HR Director Stark said that is correct, plus anything they put in next year, but that is a use-it-or-lose-it on a yearly basis.

Commissioner Gregory Koenig made a motion to approve the following:

- **Allow rollover of an employee's funds in a medical FSA for plan year 19-20 into plan year 20-21,**
- **Allow rollover of an employee's funds in a medical FSA for plan year 20-21 into plan year 21-22.,**
- **Allow rollover of an employee's funds in a dependent care FSA for plan year 19-20 into plan year 20-21.**
- **Allow rollover of an employee's funds in a dependent care FSA for plan year 20-21 into plan year 21-22.**

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

8:35 AM - Consideration and possible action re: Approval of Modified Pay Tables for the Churchill County Sheriff's Deputies' Associations for Fiscal Year (FY) 21-22 reflecting a 0.75% pay reduction due to the 1.5% PERS increase

On July 1, 2021, Churchill County Sheriff's Deputies' Association (CCSDA) enters the final year of a three-year collective bargaining agreement (CBA). The current CBA had pay tables that were approved in 2019. Those pay tables call for a 2.5% increase in the pay tables for the upcoming fiscal year.

Beginning in July 2021, there is an increase in the PERS contribution rate that is paid by the county. The increase for Police/Fire PERS is 1.5%. Both the CBA and the Nevada Revised Statutes stipulate that an increase in the PERS rate is jointly shared by the employer and the employee. The county automatically pays half of that increase (0.75%) to PERS. The statutes (and PERS' instruction to us) indicate that the employees pay their portion of the increase by, first, granting the already agreed-upon pay increase of 2.5%. We then are instructed to decrease the pay range by half of the PERS increase (0.75% in this case). This results in new pay tables that show a net pay increase of 1.75%.

Human Resources Director Geof Stark has spoken with Paul Loop, the President of the Association, so he is aware of the modification. Once the chair signs the new pay tables, Mr. Loop will sign on behalf of the Association.

FISCAL IMPACT: \$0

EXPLANATION OF IMPACT: While there will be a reduction in wages paid to the employees, the reduction in wages will be offset by an increase in the PERS contribution rate the county pays for the employees.

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Human Resources Director Stark made this presentation as outlined in the Agenda Report and stated above.

Chairman Olsen asked if there was any public comment but there was none.

Commissioner Justin Heath made a motion to approve the updated Pay Tables for the Churchill County Sheriff's Deputies' Associations for FY 21-22 reflecting a reduction of 0.75% due to the 1.5% PERS contribution rate increase. Commissioner Gregory Koenig seconded the motion, which carried by unanimous vote.

8:40 AM - Consideration and possible action re: Approval of a Contract with Western Timber Frame for the purchase of a ShadeScape Pavilion to be built at the Churchill County Civic Center in the amount of \$259,244.00

Staff presents for the board's approval a Contract award to Western Timber Frame in the amount of \$259,244.00 for the construction of a Pavilion at the Churchill County Civic Center. This contractor was selected after consulting with the then county consultant for the project, Trevor Hammond as a company that is capable of providing the specific product required for this phase of the project. The contractor will provide a prefabricated structure which reduces the complexity of this project significantly. The contractor has been working with county staff for several weeks on developing renderings of the structure and selecting the materials to be used.

Even though the emergency declaration has now expired for the county, this is still considered an emergency contract due to the emergency nature of the entire project; thus, it is exempt from going out to full public bid.

FISCAL IMPACT: \$259,244.00.

EXPLANATION OF IMPACT: Cost of the Contract.

FUNDING SOURCE: General Fund.

ACTION REQUESTED: Accept

Public Works Director Spross made this presentation as outlined in the Agenda Report and stated above. This is for the wooden structure of the pavilion and the erection of the pavilion, but it does not include the stamped concrete that is underneath it, the rock facade on the columns, the electrical, or the overhead fire protection. The balance of that work, in conjunction with the pavilion, is going to be done either as change orders to existing contracts on the Civic Center itself or it will have to go out to bid. We are preparing that bid proposal right now. We are requesting the approval of the purchase and erection of that building at this time.

Chairman Olsen asked if there was any public comment but there was none.

Chairman Olsen said when do you expect to have the rest of the bid package ready? Mr. Spross said we are putting together the scope of work right now. Because the Emergency Declaration has been removed, I have to fall back into the public works bidding process, so there are some

items within the building itself that need to go out to bid. I am in the process right now of putting that scope of work together so that I have a nice clear scope of work that we can put into a bid package and then we will send it out for a Request for Proposal. I am assuming that we will have that out on the street for bidding purposes in the next three to four weeks.

County Manager Barbee added that, with us doing due diligence and going out in that bid process, I have had conversations with counsel specifically on this topic. Even though we removed the Emergency Declaration, because the building was created under that situation or environment, we deem that it is still dealing with an emergency response and still have the ability and capabilities to do some things under the Emergency Declaration but we are still looking to do a bid process to do due diligence.

Chief Civil Deputy District Attorney Benjamin Shawcroft said maybe I can clarify a little bit. Emergency contracts are not dependent on there being an Emergency Declaration. We have done emergency contracts before. Agencies through the state and other local governments do them all the time without an Emergency Declaration. Just because we expired the Emergency Declaration, that does not mean that, therefore, every contract we do for this building here on out is no longer an emergency. We have considered the entire project as an emergency project because it is and we are still looking in anticipation of being able to use it for those types of purposes. Just because the Emergency Declaration has expired does not mean that, therefore, everything has to fall back to this public process. We always said, from the get-go, that when the opportunities arise to use more of a public bidding process, we would do that just out of public fairness, transparency, and all of that. Some of these contracts that we are talking about to complete the entire project are conducive to going out to public bid and we will probably do that, but some of these other ones, like the one that is before you today, we are still considering an emergency nature exempt from public bidding process, mostly because we have been working on them for many weeks leading up to this point, so to stop and immediately change the process would be a detriment to the county.

Commissioner Gregory Koenig made a motion to approve the Contract with Western Timber Frame for the ShadeScape Pavilion at the Churchill County Civic Center in the amount of \$259,244.00 and to authorize the County Manager to execute the Contract and issue the Notice of Award. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

8:45 AM - Consideration and possible action re: Approval of the Amended Interlocal Agreement for the Western Nevada Regional Youth Center (WNYRC) to discuss WNYRC's maintenance of the Prison Rape Elimination Act (PREA) compliance

The Operational Technical Committee (OTC) for the Western Nevada Regional Youth Center (WNYRC) approved this Amended Interlocal Agreement for WNYRC. This agreement is very much the same but includes an agreement between WNYRC and the counties to continually work towards PREA compliance and to maintain this compliance. Please see the language below to be used in the Amended Interlocal Agreement for WNYRC.

1. Per Standard § 115.312, this signed attachment acknowledges WNRYS will:
 - A. Be PREA compliant and provide proof of this compliance via a PREA audit, completed within the last three (3) years, and performed by a federally certified auditor; or
 - B. Be actively working towards PREA compliance, with identified action plans and timelines, as established within a PREA audit as described above.
 - C. Allow assessments in non-audit years to ensure PREA requirements are being maintained, including onsite visits, facility observations, interviewing of staff and youth, and reviewing of documents per Department of Justice guidance within the Standard in Focus for Standard § 115.312.
2. In addition to meeting compliance or working towards compliance, and per guidance within Standard § 115.387 and 115.389 of this Act, this signed attachment acknowledges you will provide to the governing bodies:
 - A. PREA report (Survey of Sexual Victimization, Form SSV-IJ) as they occur;
 - B. All Administrative investigations tied to each incident report, within 30 days of the date of the incident, which:
 - i. Shall be documented in a written report that includes a description of the physical and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings;
 - ii. Shall include an effort to determine whether staff actions or failures to act contributed to the abuse.
 - C. All criminal investigations shall be documented in a written report and provided, once completed, that contains a thorough description of physical, testimonial, and documentary evidence and attaches copies of all documentary evidence, where feasible.
3. Further, Standard § 115.317 of this Act states that individuals working on behalf of any contracted vendor who work in a juvenile correctional facility and have contact with youth shall undergo an FBI and state fingerprint-based background check and Child Abuse and Neglect Registry Check before providing any facility-based services.
4. Per Standard § 115.317, the contracted vendor shall undergo an additional FBI and state fingerprint-based background check within 5 years of the original background check for each individual working on behalf of the contracted vendor who works in a juvenile correctional facility and has contact with youth.
5. Annually, per guidance within Standard § 115.317, each individual working on behalf of the contracted vendor who works in a juvenile correctional facility and has contact with youth will sign a document attesting to the fact that they have not:

- A. Engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution, or have you been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, over or implied, threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse, or have you been civilly or administratively adjudicated to have engaged in the activity described in any part of this question.
- B. Been adjudicated as having engaged in any type of inmate Sexual Harassment, which includes, as a staff member, volunteer, contractor, or as any type of service provider coming in contact with an inmate in the facilities mentioned in question 1. Sexual Harassment includes but is not limited to:
 - i. Repeated verbal comments of a sexual nature to an inmate; or
 - ii. Demeaning references to gender; or
 - iii. Derogatory comments about body or clothing; or
 - iv. Repeated profane or obscene language or gestures.

6. Per Standard § 115.332 of this Act, individuals working on behalf of any contracted vendor who work in a juvenile correctional facility and have contact with youth shall have training on their responsibilities under the agency's sexual abuse and sexual harassment prevention, detection, and response policies and procedures. Training will be commensurate to their level of contact with youth.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Chief Juvenile Probation Officer Motulalo Otuafi made this presentation as outlined in the Agenda Report and stated above.

Chairman Olsen asked if there was any public comment but there was none.

Commissioner Justin Heath made a motion to approve the Amended Interlocal Agreement for the Western Nevada Regional Youth Center to discuss WNRYS's maintenance of PREA compliance. Commissioner Gregory Koenig seconded the motion, which carried by unanimous vote.

Consideration and possible action re: Discussion of Churchill County's response to COVID-19:

County Manager Jim Barbee reported that we continue to offer unlimited access for folks to be vaccinated at the POD. We have downsized the staff that we are utilizing, simply because we have seen a significant decrease in those that are interested in receiving the vaccine. We continue to move forward towards that June 1st reopening date by which the Governor is

removing all requirements around COVID, excluding the mask, but we have not heard anything different for that, so we expect that will continue after June 1st.

The state is starting to dismantle their infrastructure, including an announcement in the newspaper that Director Cage will be transitioning back to the Nevada System of Higher Education and leaving his position as Director of COVID Response on June 1.

With that, I would ask if you each have an opinion on whether or not we should keep this as a standing item on our Agendas or if we should remove it going forward. Chairman Olsen said I am okay with taking it off of the Agendas. Commissioner Heath said I am also okay with removing it. Commissioner Koenig said just because we remove it, it doesn't mean that you cannot still give us updates, right? Mr. Barbee said I can do that in my regular staff update. Thank you for that clarity.

This item was presented for informational purposes only and no action was taken.

Letters Received:

A- Consideration and possible action re: Bureau of Land Management's notification of the issuance of a Proposed Grazing Decision for a 10-year grazing permit for the Edwards Creek, Porter Canyon, and Carson LTD allotments as described in the Environmental Assessment's Proposed Action.

Bureau of Land Management's notification of the issuance of a Proposed Grazing Decision for a 10-year grazing permit for the Edwards Creek, Porter Canyon, and Carson LTD allotments as described in the Environmental Assessment's (EA) Proposed Action.

The Edwards Creek, Carson, and Porter Canyon Allotments are adjoining allotments located along the Desatoya Mountains, about 60 miles east of Fallon and 30 miles west-southwest of Austin, along the Churchill and Lander County lines. The Porter Canyon Allotment lies within the Battle Mountain District within Lander County; however, all three allotments are administered by the Stillwater Field Office. Collectively, the allotments encompass approximately 194,579 acres of public lands and 3,629 acres of private lands.

The Proposed Decision identifies the selection of Alternative 1: Proposed Action - Outcome Based Grazing Alternative, offering a new grazing permit to Smith Creek Ranch Co., LTD for a term of ten years. Additionally, several range improvements, including water developments and habitat restoration projects, would be authorized under this decision.

The EA and Finding of No Significant Impact (FONSI) are provided herewith or can be downloaded at: <https://go.usa.gov/xfPUV>.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

B- Consideration and possible action re: Bureau of Land Management's public comment

period for an Environmental Assessment (EA) for a Plan of Operations submitted by Coeur Rochester Inc.

The Bureau of Land Management (BLM) provides notice of its public comment period for an Environmental Assessment (EA) for a Plan of Operations submitted by Coeur Rochester Inc. The project is located approximately 26 miles northeast of Lovelock, Nevada and is proposed to conduct mineral exploration and baseline data collection to assess mineral development potential. Activities in the Plan of Operations (Plan) would be conducted in phases. Under Phase I, Coeur Rochester proposed to conduct approximately 7.36 acres of surface disturbance in addition to the maximum 5.0 acres of previously authorized disturbance for approximately 12.36 acres. Up to 237.64 acres of surface disturbance would be conducted under subsequent phases, for a total of 250 acres within the Plan boundary. The Plan boundary encompasses 8,457 acres (2,201.2 private acres and 6,255.8 acres of BLM-administered lands) in Pershing County.

The EA will analyze drill sites, groundwater monitoring wells, overland travel routes, and water usage. Coeur Rochester would conduct year-round exploration drilling activities, as weather permits, with up to four drill rigs. Approximately 26 drill holes would be drilled as part of Phase I and 450 additional drill holes would be drilled under subsequent phases. Drilling will be performed to define the extent of the mineralization and to sample for geochemical analyses. They also propose to install up to eight groundwater monitoring wells under Phase I to assess water levels and water quality in the Project Area. Whenever possible, existing exploration drill sites would be used for monitoring well installation.

Comments will be accepted and can be submitted as outlined in the letter.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE:

ACTION REQUESTED: None; Informational Only

C- Consideration and possible action re: Churchill County School District's Tentative Budget for Fiscal Year Ending June 30, 2022.

The Churchill County School District provides a copy of its Tentative Budget for Fiscal Year Ending June 30, 2022 for public information.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED:

D- Consideration and possible action re: Nevada Division of Environmental Protection's notification of its review of the Draft Corrective Plan for UST-R-Site 1 at Naval Air Station Fallon, Nevada.

The Nevada Division of Environmental Protection (NDEP) provides notification of its review of the Draft Corrective Plan for UST-R-Site 1 at Naval Air Station Fallon, Nevada. Previous sampling in 2017 detected benzene in a groundwater grab sample from a temporary well installed in boring SB-06. No other volatile organic compounds (VOCs) and semi-volatile

organic compounds (SVOCs) were detected above state or federal action levels from groundwater samples during 2017 or 2020 sampling. Measurable free product of 0.5 inches and 10.56 inches was measured at well MW395F during the 2017 and 2020 sampling events, respectively.

The Draft Corrective Action Plan proposes quarterly groundwater monitoring for up to three years to monitor the attenuation of petroleum hydrocarbon related to VOCs and SVOCs in groundwater and the installation of a diaphragm pump to address free product at well MW395F. Additionally, free product will also be monitored quarterly in the existing monitoring well network at UST-R-Site 1. Following these actions, closure options will be evaluated.

NDEP asked for clarification for inches or feet on page 3-1, Section 3.0 Summary of Impacts. NDEP concurs with the recommendation in the Draft Corrective Action Plan, which can be finalized following correction of inches or foot as outlined above.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

New Business:

A- Consideration and possible action re: Affidavit of Mailing Delinquent Tax Notices from the Churchill County Clerk/Treasurer pursuant to NRS 361.5648(3).

Churchill County Clerk/Treasurer Linda Rothery submits her Affidavit of Mailing Delinquent Tax Notices pursuant to NRS 361.5648(3). On March 31, 2020 a total of One Thousand and Twenty Six (1,026) Delinquent Tax Notices were mailed. As of April 30, 2020, Thirty Four (34) were returned determined to be undeliverable.

NRS 361.5648 Mailing of notice of delinquent taxes: Duties of tax receiver; contents of notice; second notice; costs; limitation of liability for failure to provide.

1. Within 30 days after the first Monday in March of each year, with respect to each property on which the tax is delinquent, the tax receiver of the county shall mail notice of the delinquency by first-class mail to:

- (a) The owner or owners of the property;
- (b) The person or persons listed as the taxpayer or taxpayers on the tax rolls, at their last known addresses, if the names and addresses are known;
- (c) Each holder of a recorded security interest if the holder has made a request in writing to the tax receiver for the notice, which identifies the secured property by the parcel number assigned to it in accordance with the provisions of NRS 361.189; and
- (d) Each assignee of a tax lien on the property, if the assignee has made a request in writing

to the tax receiver for the notice described in paragraph (c).

2. The notice of delinquency must state:

- (a) The name of the owner of the property, if known.
- (b) The description of the property on which the taxes are a lien.
- (c) The amount of the taxes due on the property and the penalties and costs as provided by law.
- (d) That if the amount is not paid by or on behalf of the taxpayer or his or her successor in interest, the tax receiver will, at 5 p.m. on the first Monday in June of the current year, issue to the county treasurer, as trustee for the State and county, a certificate authorizing the county treasurer to hold the property, subject to redemption within 2 years after the date of the issuance of the certificate, by payment of the taxes and accruing taxes, penalties and costs, together with interest on the taxes at the rate of 10 percent per annum, assessed monthly, from the date due until paid as provided by law, except as otherwise provided in NRS 360.232 and 360.320, and that redemption may be made in accordance with the provisions of chapter 21 of NRS in regard to real property sold under execution.

3. Within 30 days after mailing the original notice of delinquency, the tax receiver shall issue his or her personal affidavit to the board of county commissioners affirming that due notice has been mailed with respect to each parcel. The affidavit must recite the number of letters mailed, the number of letters returned and the number of letters finally determined to be undeliverable. Until the period of redemption has expired, the tax receiver shall maintain detailed records which contain such information as the Department may prescribe in support of the affidavit.

4. A second copy of the notice of delinquency must be sent by certified mail, not less than 60 days before the expiration of the period of redemption as stated in the notice.

5. The cost of each mailing must be charged to the delinquent taxpayer.

6. A county and its officers and employees are not liable for any damages resulting from failure to provide actual notice pursuant to this section if the county, officer or employee, in determining the names and addresses of persons with an interest in the property, relies upon a preliminary title search from a company authorized to provide title insurance in this State.

FISCAL IMPACT: Postage costs.

EXPLANATION OF IMPACT: There was postage costs affiliated with the mailing of these delinquent tax notices.

FUNDING SOURCE: General Fund.

ACTION REQUESTED: Accept

Chairman Olsen asked if there was any public comment but there was none.

Commissioner Justin Heath made a motion to approve the Affidavit of Mailing Delinquent Tax Notices and to note such in the Minutes of the meeting. Commissioner Gregory Koenig seconded the motion, which carried by unanimous vote.

B- Consideration and possible action re: Reappointment of Ernie Schank to the TDR Sending Site Review Committee.

The Churchill County Sending Site Review Committee reviews all Transfer of Development Rights (TDR) Applications, evaluates local entity comments, the Conservation Easement Deed, proposed restrictions, and verifies the TDRs. The committee provides a report and recommendation to the Churchill County Planning Commission, per Section 16.14.080 B of the Churchill County Code. The TDR Sending Site Review Committee is comprised of three (3) members, including a minimum of two agricultural representatives and one at-large representative, appointed by the Board of County Commissioners, who serve three (3) year terms. The Planning Director serves as the non-voting Chair of the committee.

Member Ernie Schank's term ends on June 30, 2021. Mr. Schank is serving as one of the agricultural representative positions on the committee. In preparation of the upcoming vacancy, the Public Works Director discussed this opportunity with Ernie Schank. Mr. Schank submitted an email indicating that he would like to continue serving. Since he meets the qualifications, has experience, and provides a good balance to the committee, staff recommends that he be reappointed to serve a three year term on the TDR Sending Site Review Committee. This recommendation is being made with consideration that the Applicant has a clear understanding of the duties and responsibilities related to this position.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Chairman Olsen asked if there was any public comment but there was none.

Commissioner Gregory Koenig made a motion to reappoint Ernie Schank to serve a three year term on the TDR Sending Site Review Committee, effective July 1, 2021 to June 30, 2024. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

C- Consideration and possible action re: Reappointment of Peggy Hughes and Gary Cordes to the Churchill County Advisory Board to Manage Wildlife.

County Advisory Boards to Manage Wildlife (CABs) are appointed by County Commissioners from all 17 Nevada counties to serve three (3) year terms. The County Advisory Boards to Manage Wildlife are responsible for advising the Nevada Wildlife Commission, particularly with the setting of seasons and limits for their respective counties. CABs advise the Wildlife Commission by gathering information from area sports persons and local input through meetings in their respective counties. Members on the CABs should be selected with the intent to provide representation from a cross-section of the county to ensure that all major viewpoints are examined and that any faction or special interest group does not dominate the CAB. Nevada

Revised Statute (NRS) 501.297 – NRS 501.303 governs the County Advisory Boards to Manage Wildlife.

The Churchill County Advisory Board to Manage Wildlife consists of five (5) members serving three (3) year terms. Two positions have terms expiring June 30, 2021. One of those positions is held by Peggy Hughes and she has expressed a desire to continue serving. The second position is held by Gary Cordes, who also has expressed a desire to continue serving. Peggy Hughes is the Chairwoman of the CAB and she would like to see both members continue to serve and does not feel that an advertisement needs to be undertaken as both are qualified to serve and appear to be well prepared to serve a three (3) year term. Both Peggy Hughes and Gary Cordes have a clear understanding of the duties and responsibilities related to this position.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Chairman Olsen asked if there was any public comment but there was none.

Commissioner Justin Heath made a motion to reappoint Peggy Hughes and Gary Cordes to serve 3-year terms on the Churchill County Advisory Board to Manage Wildlife, effective July 1, 2021 to June 30, 2024. Commissioner Gregory Koenig seconded the motion, which carried by unanimous vote.

1:50 PM D- Consideration and possible action re: Reappointment of Ava Case, Gary Imelli, and Bob Francke to the Churchill County Park and Recreation Commission.

The Churchill County Park and Recreation Commission is a board appointed by the Board of County Commissioners, authorized and directed to make recommendations and advise the County Commission regarding matters relating to Churchill County park and recreation facilities and programs per NRS 2.48. The Park and Recreation Commission is comprised of seven (7) members, one of whom shall be a member of the Churchill County Board of County Commissioners and one of whom shall be a member of the Board of Trustees of the Churchill County School District, with the remaining five (5) members appointed by the Churchill County Board of Commissioners. The term of all commissioners shall be for four (4) years. Members Ava Case, Gary Imelli, and Bob Francke submitted emails indicating their desire to be reappointed to another term.

The County Manager and Facilities, Parks & Recreation Director reviewed the emails and discussed the current composition of the Park and Recreation Commission. Recommendation is being made to reappoint Ava Case, Gary Imelli, and Bob Francke to another four year term, with consideration that the Applicants have a clear understanding of their duties and responsibilities related to this position.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Chairman Olsen asked if there was any public comment but there was none.

Commissioner Gregory Koenig made a motion to reappoint Ava Case, Gary Imelli, and Bob Francke to another term on the Churchill County Park and Recreation Commission, effective July 1, 2021 through June 30, 2025. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

E- Consideration and possible action re: Appointment of Alan Kalt as an At-Large Member to the Audit Committee to fill the term previously held by Phyllis Dowd.

Churchill County has an Audit Committee, which consists of three members, as follows: County Commissioner, Chief Civil Deputy District Attorney, and an At-Large Member. The members have been Commissioner Pete Olsen, Chief Civil Deputy DA Benjamin D. Shawcroft, and Phyllis Dowd. Churchill County received a resignation from Phyllis Dowd because she has accepted a position with HintonBurdick CPAs & Advisors, the current auditor for Churchill County. Churchill County appreciates the service of Phyllis Dowd and her insights into the Audit Committee.

A legal notice advertising the open position was published in *The Fallon Post* on February 26th and March 5th. One application was received, from Alan K. Kalt and Certified Public Accountant. Mr. Kalt has extensive experience in the financing arena and is familiar with Churchill County, having served as the Comptroller for many years. Mr. Kalt would provide a great perspective and oversight to the Audit Committee.

FISCAL IMPACT: \$225.60.

EXPLANATION OF IMPACT: The fiscal impact of this action is costs associated with the legal notice of \$225.60.

FUNDING SOURCE: 100-120-56800.

ACTION REQUESTED:

Chairman Olsen asked if there was any public comment but there was none.

Commissioner Justin Heath made a motion to appoint Alan Kalt to serve as the At-Large Member of the Audit Committee for Churchill County. Commissioner Gregory Koenig seconded the motion, which carried by unanimous vote.

F- Consideration and possible action re: Notification of the filing of a Nuisance Complaint by Thomas Keyes against the Sage Hill Partnership, dba Sage Hill Dairy and the establishment of a public hearing.

Thomas Keyes filed a Nuisance Complaint against the Sage Hill Partnership, dba Sage Hill Dairy on the 22nd day of April, 2021. Churchill County Code provides:

8.12.030: FILING OF COMPLAINT:

- A. Whenever a written complaint is filed with the county clerk alleging the existence of a

nuisance as defined in Nevada Revised Statutes 40.140 the county clerk shall notify the board of county commissioners at the next regular county commissioners' meeting. Upon notification, the board of county commissioners shall fix a date to hear proof of the complainant and of the owner or occupant of the real property whereon the alleged nuisance is claimed to exist, not less than thirty (30) days nor more than forty (40) days subsequent to the filing of the complaint. Upon filing of a complaint the county clerk shall forward a copy of the complaint to an authorized official who shall immediately open an investigation of the alleged nuisance. The authorized official shall present the results of his/her findings at the hearing.

B. At the time of fixing the hearing, the board of county commissioners shall order and cause notice of the hearing to be published at least once a week for two (2) weeks preceding the date fixed for the hearing in a newspaper of general circulation published in the county. The complainant and the owner(s) or occupant of the real property whereon the alleged nuisance is claimed to exist, shall be notified by certified mail of the time and place of the hearing and the nature of the complaint.

Churchill County Code states that the public hearing should be scheduled between May 22 and June 2, 2021. The Complainant was asked if he would waive the requirement for setting the public hearing in that timeframe and if he would agree to setting the matter for hearing on May 19th to be heard at the same time as the previous Nuisance Complaint will be heard. Both Nuisance Complaints are for the same issue and it makes sense to hear both of these matters at the same time. Mr. Keyes agreed to waive that timeframe and to set the matter for hearing on May 19, 2021.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Set Public Hearing

Chairman Olsen said I will be abstaining from this matter.

Deputy Clerk Moore informed the board of this filing and the requirement for setting a public hearing. Mr. Keyes has waived his right to have the hearing during the prescribed dates from the filing of his complaint and has agreed that the matter be heard at the same time as the other Nuisance Complaint on May 19th. County Manager Barbee said staff requests that these matters be placed on the Agenda one after the other and towards the end of the Agenda where the Chairman is able to oversee the meeting and then remove himself from that last bit of the meeting.

Vice-Chairman Koenig asked if there was any public comment but there was none.

Commissioner Justin Heath made a motion to set a public hearing on the 19th day of May, 2021. Commissioner Gregory Koenig seconded the motion, which carried by majority vote, with Commissioner Olsen abstaining.

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 April 2021 showing a balance of \$46,525,771.60 in the account.

Clerk/Treasurer Linda Rothery provides the Treasurer's Monthly Report for April 2021, which shows a balance of \$46,525,771.60 in the account. This report is provided for the board's consideration and acceptance.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

C- Consideration and possible action re: Quarterly Report of Churchill County's Economic Condition to the Department of Taxation for the quarter ending March 31, 2021.

Provided for the board's review and consideration is the revised quarterly report that is prepared in accordance with the Nevada Administrative Code (NAC). This report has been revised by the Committee on Local Government Finance. The report must be submitted to the Department of Taxation within 45 days of completion of the prior quarter. A signed copy will be forwarded to the department in a timely basis.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Chairman Olsen asked if there was any public comment but there was none.

Commissioner Gregory Koenig 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:

Chairman Olsen reported on the following topics:

- CEDA board meeting, where it appears the Business Council wants to remain intact. Things are going well and we are happy with CFED.
- I drove to Carson for the Rural Caucus. It was good to see so many people I haven't seen in over a year. It was an enjoyable event. The Legislative building had been opened and they are encouraging people to come as it doesn't take more than about 15 minutes to get through security and the COVID screening. The Legislature is still a long ways from setting their budget.
- I participated in some staff meetings, especially with the Birch Lane zone change. Hopefully, it will come back in a better forum. It is good for all of us to be educated on that.
- I wanted to mark the passing of my father, who was buried last week. He lived 88 years. I really loved him and the outpouring of our community was amazing. It was amazing to see people, who are hungry to be with each other and to interact.

Commissioner Koenig reported on the following topics:

- Library Board meeting. Carol is happy to only have to run the Library now.
- Museum Association meeting tonight at 6:00.
- Met with Jim Souba about the Birch Lane zone change.

Commissioner Heath reported on the following topics:

- WNDD meeting to discuss economic development plans that they have coming up.
- I toured the Birch Lane area with Jim Souba and want to see more of that plan.
- I missed the CART board meeting, so that has been rescheduled to June.

Sheriff Hickox reported on the following topics:

- I want to offer my condolences to Pete for the loss of his father.
- I have had a busy couple of weeks. We held the Executive Board meeting for the drug Task Force. Everything is working well there.
- We have done some updated training and began our policy review for the benefit of survivors. There has been some Legislative changes nationally as to what those amounts are and what happens there. We have some new guys on our administrative board and we

wanted to make sure that they are up to speed in case something terrible did happen and we had to use those if somebody were catastrophically injured or killed.

- I attended a meeting with the Reno Republican Women at their request. I took some information from them that required some further thought.
- I attended the Sheriffs and Chiefs meeting yesterday. Clark County has a full-time lobbyist who is looking at unfunded mandates, increased costs, increased training, increased testing requirements to hire, and then the requirement to test those personnel every year. There is stuff about evaluations and the potential for hiring a third person if we do promotions, which is bizarre. We are hoping that some of these things get taken out. They told us to be prepared for a lot of unfunded mandates coming down the pike. A lot of the training will have to be conducted in-person but they have not yet set the criteria for that. We are not sure what that will look like, at this point. Because it will be in-person, we will have to hire experts to come in or else send staff out. It represents a large increase from 12 hours to 60 hours for training now.
- I attended a focus group with the Churchill Community Coalition, which was not well attended. We were able to talk with the lady who was hired by the Coalition.
- We received some bad news when we were notified that our Spillman server, which is shared with the Fallon Police Department, is nearing its end of life. They are telling us that we must replace it within a year, at a cost of about \$100,000 split between the two agencies.
- We have a new hire that started on Monday and another being tested. We are finding that there is not a lot of interest due to the environment.
- I want to thank Anne McMillin because she was able to help us put out some swag for an upcoming training event.
- Our drug take-back event held on April 24th went well.
- I participated in the Tahoe Polar Plunge, which was awesome as we raised over \$90,000.
- I met with the Blue Faith founder yesterday at the Sheriffs and Chiefs meeting and we are talking about hosting a Blue Faith event here in Fallon, with more information to come later.
- I met with the boards of the Reno Rodeo Association and the Foundation yesterday. We are looking to do the bears and badges, as well as using a corner of our lobby for a collection spot for clothes for foster kids that they promote and host. County Manager Barbee asked what they are saying about their capacity to hold the rodeo with 3/4 of their facilities gone this year? Sheriff Hickox said they are happy to just have a rodeo and to get back to helping people.

County Manager Barbee reported on the following topics:

- I have been busy in multiple meetings.
- I participated in the Extension interviews for the new agent for Fallon.
- With regard to the Birch zone change, once we get something of substance, we would like to reach out to you individually to go over the proposal.

Public Works Director Spross reported on the following topic:

- The Civic Center retaining wall portion that separates the gathering area from the arena is 100% completed and has been back-filled on the gathering space side. All but one line of the storm drain pipe has been installed. The reason they couldn't install the final line, which is on the south side of the building, is because the batter boards for the building are right here and the building is not up yet, so they could not do it. They are currently forming and getting ready to pour the large A-line footing, which is the southernmost footing for the big building. If you are interested, they are starting to pour at 4:00 AM Tuesday. They are doing that all in one pour. They have also started to excavate the J-line, which is the northernmost footing for the big building. Currently, we have the utility contractors putting in conduit through the footing. This morning, the Overhead Fire person laid his out. They will be installing the riser tomorrow into the mechanical room. All of that goes through the footing at the east side of the building, so that has to be done before any of those footings are poured. The contractor was starting with the sewer line today. We found a nice surprise because the manhole that we tied into we thought we would have to core into but somebody, years ago when that manhole was put in, had some foresight and put in a stub heading south, so we do not have to core into the manhole but just have to attach to the stub. We are saving some headache there. We will be forming, installing rebar, and doing footings for the next 6 weeks. I am available for a tour at any time. The building is scheduled to arrive on June 11th and the pour and our final 14-day breaks are going to be done on June 9th. If everything goes well, our timing will be right on schedule. With the breaks that we have been getting for the concrete, we have been achieving design strength at 14 days, probably a little earlier than that but they are not breaking before 14 days, at the 7-day mark, they will break. The way our contract and our plans are written, we are allowed to erect as soon as the concrete reaches design strength. We do not have to wait for the 28-day break period. As soon as it reaches design strength, we can start working on it. That has been at about 14-days, so we anticipate that we will be able to get started right on time.

Comptroller Wideman reported on the following topics:

- I sent out the February sales tax report, which shows we are about 14% higher than last year for the same period, but we are down from January by about 5% and 43% higher than the 11-year average.
- I reached out to the Governor's office about the CARES money. We had put in for a 25% match as part of their payment. They were able to redirect that, so now we can get about another \$45,000 from FEMA for the 25% match because FEMA is paying 100% now.

Chief Civil Deputy District Attorney Shawcroft had nothing to report.

Clerk/Treasurer Rothery reported on the following topics:

- We had a successful property tax sale on April 29th and 30th. We had quite the bidding war, but it was very successful. The minimum bid for the last 11 parcels was just over \$12,000 and our bid total for all 11 parcels was \$288,572.00. It went extremely well and we had 95 bidders registered. We were supposed to close on Friday at 3:00 PM but had an ongoing bidding war on 3 parcels for an hour and a half past that time, which was interesting to watch.
- We are doing some upgrades to the Chambers to add 2 big screen TVs, one of which will be located on the far wall behind the screen and the other on the wall behind the dais. We were trying to replace the screen to make it wider and bigger but the cost was insane, so we went a different route. Those will be two 86 inch TVs, so those will be high definition and were less costly. I hope to be done with that by the end of June.
- Deputy Clerk Moore said I heard from Municode for the code portion of new provider contracts. I had not expected to hear anything from them until the end of May, but heard from them before the end of April, so that is a bit ahead of schedule. I continue to have serious issues with CivicClerk, including issues today during this meeting, so I am anxious to get our new program up and running.

Claims and Payroll Transmittals:

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

Public Comment:

Chairman Olsen asked if there was any public comment but there was none.

Adjournment:

The meeting was adjourned at 9:35 AM.

Approved:


H. Peter Olsen, Jr., Chairman

Approved:


Greg Koenig, Vice-Chairman

Approved:


Justin Heath, Commissioner

ATTEST:

Linda Rothery, Clerk/Treasurer



Pamela D. Moore, Deputy Clerk to the Board