

MINUTES OF THE BOARD OF CHURCHILL COUNTY COMMISSIONERS

155 N. Taylor St., Fallon, NV 89406

December 15, 2021

Call to Order:

The regular meeting of the Board of County Commissioners was called to order at 1:16 PM on December 15, 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
N/A

ABSENT:

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. Public Works Director Chris Spross said Commissioner Koenig requested at the last meeting information about the sewer treatment plant at the golf course. I gathered some information with help from Marie. The plant was put in place in 2006 to handle the Pine Grove Subdivision and some projected growth that was anticipated in the county. The cost was just over \$5.1M to build and the county received a USDA grant for just under \$4M to help cover that cost. That plant was rated at 160,000 gallons per day. That plant was taken offline in 2009 when the county moved ahead with building the Moody Plant. It was built because, at the time, there was approximately 13 subdivisions that were in the Planning Department, which exceeded the projected growth that was anticipated for that smaller plant. The Moody Plant costed about \$7.7M and was rated for 600,000 gallons per day. In 2018, we received a request to annex so, at that time, that plant was taken offline. In 2018, we also received a request from the landowner to remove the rapid infiltration basins that we associated with that plant, so the county did that and also terminated the NDEP Discharge Permit. Since then, the county has tried to sell that plant. In 2013, we advertised it and did not have any takers. We had a local contractor give us an estimate of what it would cost to take that plant down and relocate it and the cost was \$2.7M but we did not have anywhere to put it so we opted to leave it in place. There have been a few developers and some communities that have looked at it but we have had no takers. We maybe have a couple of options; we can try to sell it again or maybe use it as an incentive for a developer for maybe out in the CHIP District at a discounted price or give it to them if they move forward with the development. It just sits mothballed and there has been no decommissioning or anything. The generator is still out there. Commissioner Koenig said \$5.1M for 3 years of use, yikes.

Linda Thompson said I am the state lead with Battle Born Patriots and I am also a resident of this county. This county allowed the pot pharmacy with medical marijuana when it passed but when recreational passed, we kept it out of our county. The pot pharmacy was denied their request to sell recreational. Chairman Olsen said Linda, what you are talking about is under the city's jurisdiction, not the county. Linda Thompson said can't you do something about it? Chairman Olsen said no, we cannot. The law was written to where the city can stand on their own and make their own decisions, as well as the county can stand on their own. Linda Thompson said if the county says no pot in the county, then the city has to abide by that, don't they? Chairman Olsen said no, they don't, not the way the law was written. If you have any beef about marijuana and pharmacies or recreational marijuana or any of that, you can beef with us that we did not allow it in the county but you can't beef with us about the pot pharmacy over here. Linda Thompson said even if they are sneaking in recreational when you have it denied in the county? Chairman Olsen said that is the city and that is not in our jurisdiction. Linda Thompson said I thought the county was over the city. Chairman Olsen said it is the way that law was written. The law was written in such a way that no meant yes. Let me explain. Our residents voted 60% that we did not want that bill passed but since it passed anyway, statewide, we get to deal with it. Inside that initiative that no means yes part is, that even though the county says no, that means you can say yes. You have said yes to people being able to grow up to 6 plants per adult in their backyard for a total of 12, I believe, which people tell me that it is enough to make the whole block high. We did the best we could and followed what the voters wanted. When they said we don't want it in our community, we gave them as close to no as we could get given the constraints that the initiative that passed statewide had. Linda Thompson said so, with the pharmacy being in the city limits, they are the ones that have control, so if they are selling recreational marijuana under the guise of supposedly free medical cards, then you guys can't do anything about it? Chief Deputy DA Benjamin Shawcroft said the enforcement of that is done by the state anyway. People can make complaints to them and they will investigate it and take certain actions against it. Linda Thompson said please tell me what state organization I need to reach out to. Chief Deputy DA Shawcroft said if you stick around, I will tell you after the meeting.

Amber Sanchez said when I was here before and asked you to declare us a constitutional county, Pete, you responded that you have all sworn an oath to support the constitution against all enemies, foreign and domestic already, which I appreciate and I thank you all for your service. I want you all to know that. With all due respect however, that response was found wanting. Be mindful that so many criminals in Washington D.C. have taken that same oath. This is not about you, Pete Olsen, or you Greg Koenig, or you Justin Heath, or any one person currently holding office. It is about we the people of this county going forward. It is about another layer of commitment to follow and abide by the constitution come what may to ensure that state or federal edicts, mandates or orders do not contradict or fly in the face of our constitutionally guaranteed, God given rights, as free citizens. That no amount of money offered up, tempting as it is, is accepted with provisos that would, at some point and some way, in the name of some manufactured crisis, infringe upon our freedoms as free citizens. Unless and until I hear a well-reasoned, plausible reason why designating Churchill County as a constitutional county is a bad idea, I and others shall continue our request. Chairman Olsen said thank you. Chairman Olsen asked if there was any further public comment but there was none. Amber Sanchez said Merry Christmas. Chairman Olsen said Merry Christmas.

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 9th day of December, 2021, between the hours of 1:00 and 2:00 PM 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 Justin Heath made a motion to approve the Agenda as submitted.
Commissioner Gregory Koenig seconded the motion, which carried by unanimous vote.**

Appointments:

A. - Consideration and possible action re: Employee Service Awards, 4th Quarter 2021

Employees receiving service awards during the fourth quarter of 2021 are:

Laca, Anthony	11/28/2011 Road Department	10 year
Rothery, Linda	11/26/2001 Clerk/Treasurer's Office	20 year

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

This presentation was done to recognize the stated employees for their years of service and no other action was taken.

B. - Consideration and possible action re: Update of current activities, plans, or actions related to the Bureau of Land Management's Carson City District

Jake Vialpando, Field Manager of the Stillwater Field Office, will provide an update of current activities, plans, or actions related to the Bureau of Land Management's Carson City District.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

Jake Vialpando, Field Manager of the Stillwater Field Office, had a PowerPoint presentation as follows:

Desatoya Wild Horse Gather

- Scheduled to begin January 15, 2022.
- Approved to gather 223 horses; remove 150 horses; and treat GonaCon to approximately 43 mares which will be released back into HMA.
- Desatoya AML is 127-180; current estimated population is 277 horses.

Dixie Meadows GT Project

- No appeals received to date.
- ORMAT in process of acquiring applicable permits in order to start construction.

Diamond Flat GT Project

- WRPT is opposed to the project, passed tribal resolution asking BLM to deny ORMATs application.
- Current path forward is to initiate Scoping in January 2022 for push wells and gradient testing wells/exploration wells.

Comstock GT Project

- ORMAT proposal for exploration wells. Contractor has submitted preliminary EA for BLM review. Comments currently due back to contractor by 1/15/22.

Vero Fiber Optic Project

- Multi District, CCDO delegated AO authority, one EA project manager out of SO, each district to provide IDT to cover their own districts. No schedule at this time.

Legacy Racing Association: 2 race applications for 2022**Gold Rush Legacy SRP**

- Application received in early August 2021. BLM still awaiting a complete application. Course of action has not yet been determined.
- This race is proposed to start near Virginia City and end near Tonopah.
- Much of the racecourse is the same as Vegas to Reno.
- Proposed Race dates are mid-late June 2022.

Baja Nevada 600

- Application submitted to Tonopah Field Office on August 2, 2021.
- Propose a 600-mile race starting near Beatty and ending near Rachel. Furthest northern loop up around the Rawhide Mine. BLM in process of reviewing application.
- Proposed race dates are May 6-7, 2022.

2022 Vegas to Reno SRP

- Application submitted December 9, 2022. BLM in process of reviewing application.
- Course map, includes the Pahrump, Tonopah, Stillwater, and Sierra Front field offices.
- The proposed start is located just south of Amargosa Valley (Nye County) and the junction of U.S. Route 95 and SR 373 with the proposed finish in Dayton. Of note BITD is proposing the event for September 22-24th which is a change from mid August.

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

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

C. - Consideration and possible action re: Presentation of the Comprehensive Annual Financial Report for the general Churchill County and CC Communications for the Fiscal Year Ending June 30, 2021

The Comprehensive Annual Financial Report for the Fiscal Year Ending June 30, 2021 will be presented to the board. After review of the report, the board is asked to accept and approve the audit report.

FISCAL IMPACT: As contracted.

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Chad B. Atkinson, CPA, HintonBurdick CPAs & Advisors said I first wanted to say thank you to the county staff for helping us get through the audit. I also wanted to share in this introduction that there will be a couple of things that we will point to for the committee to read, if you haven't already, which are the Letter of Transmittal and the Management's Discussion and Analysis. These two documents are the high-level overview of what took place in Fiscal Year 2021, so we encourage you to review those documents. Let us know if you have any questions about those documents.

I also wanted to thank the county for working with us on an extension request. I had a key member of my staff get COVID right in the middle of our audit season.

I am going to cover the audit reports and then some financial highlights as we complete our report. The Audit Report is found on page 15 in the Annual Comprehensive Financial Report (ACFR). We issued an opinion on the financial statements of an unmodified opinion or a "clean opinion". Our Report on Internal Controls Over Financial Reporting and on Compliance is found on page 213. We are happy to report that there were no internal control deficiencies or noncompliance reported.

Chad B. Atkinson had a PowerPoint presentation as follows:



Churchill County, Nevada Fiscal Year 2021 Audit Presentation

Presented by
HintonBurdick CPAs and Advisors

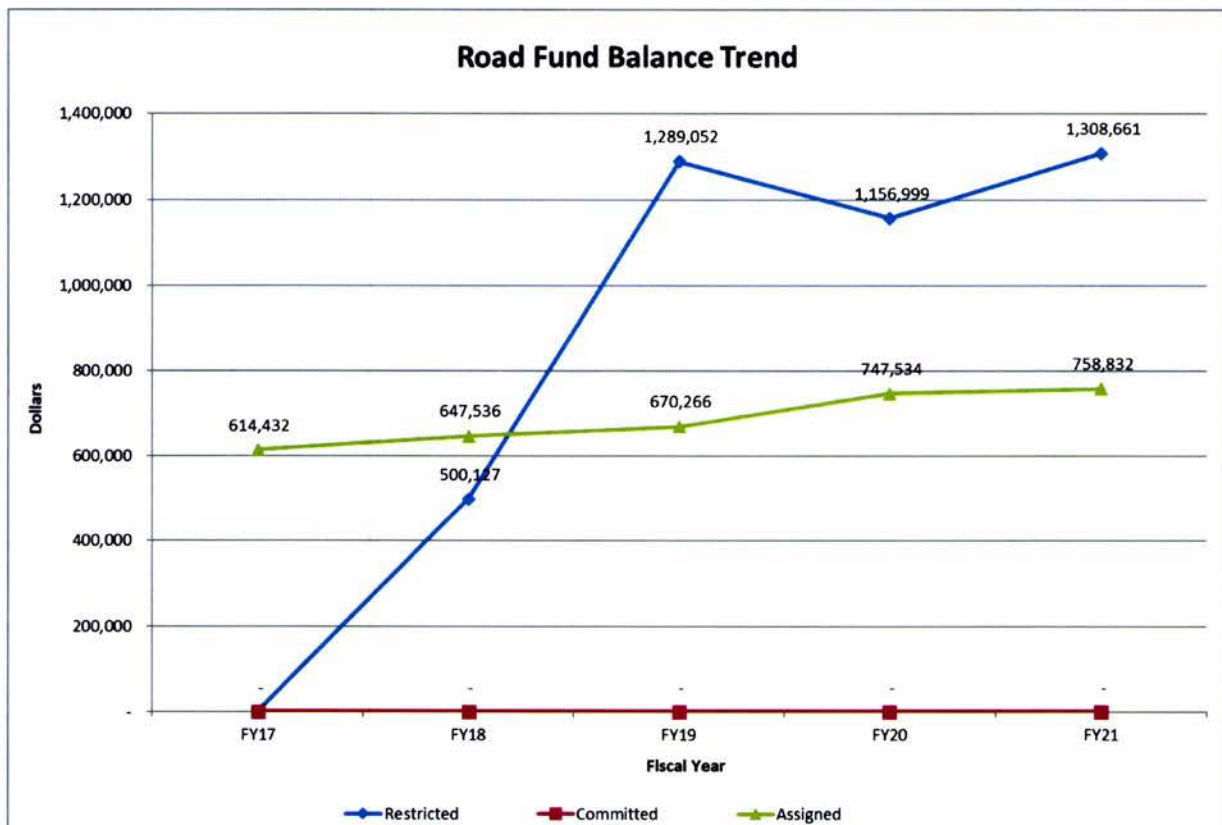
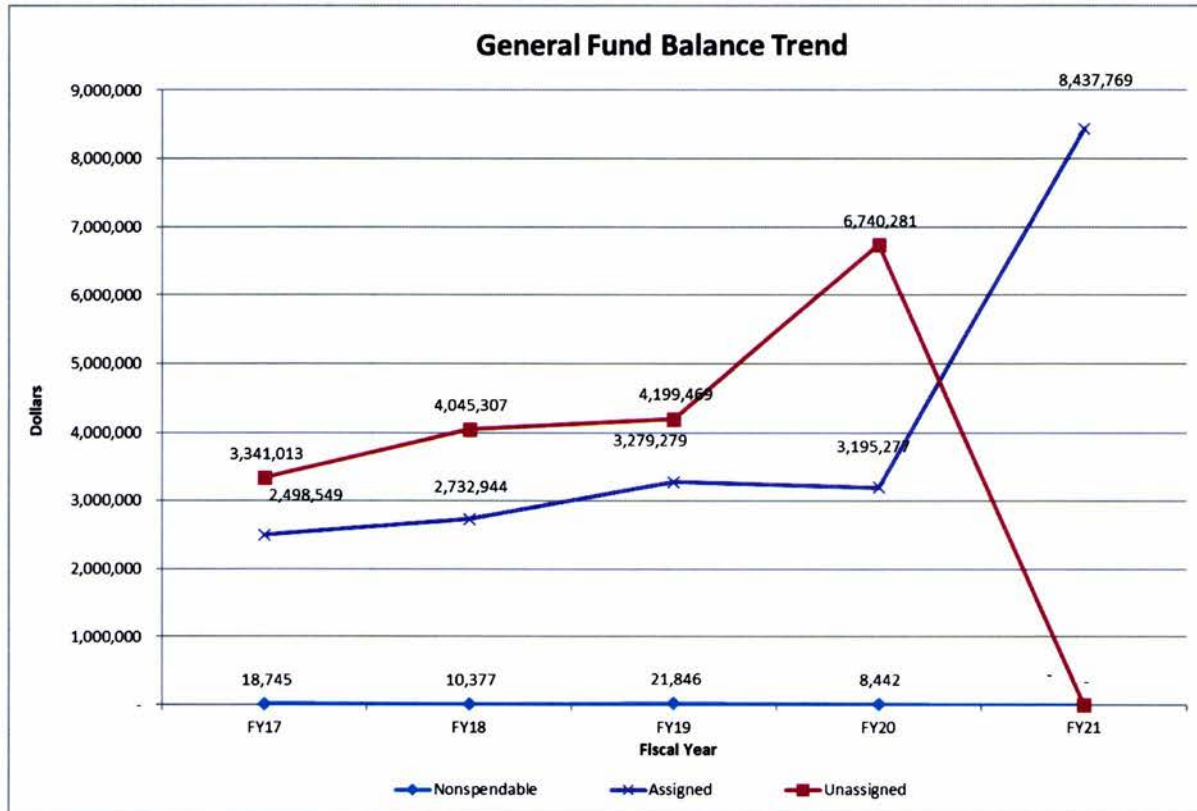
HintonBurdick.com

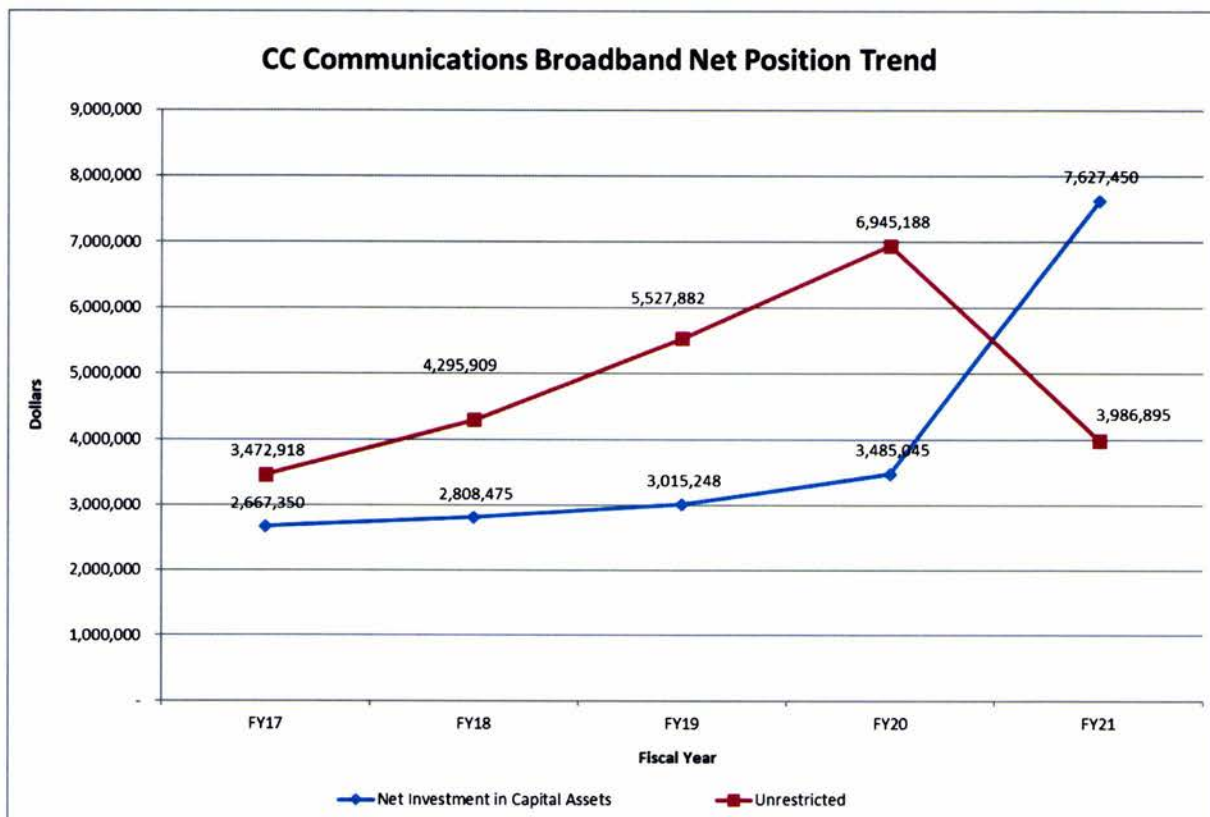
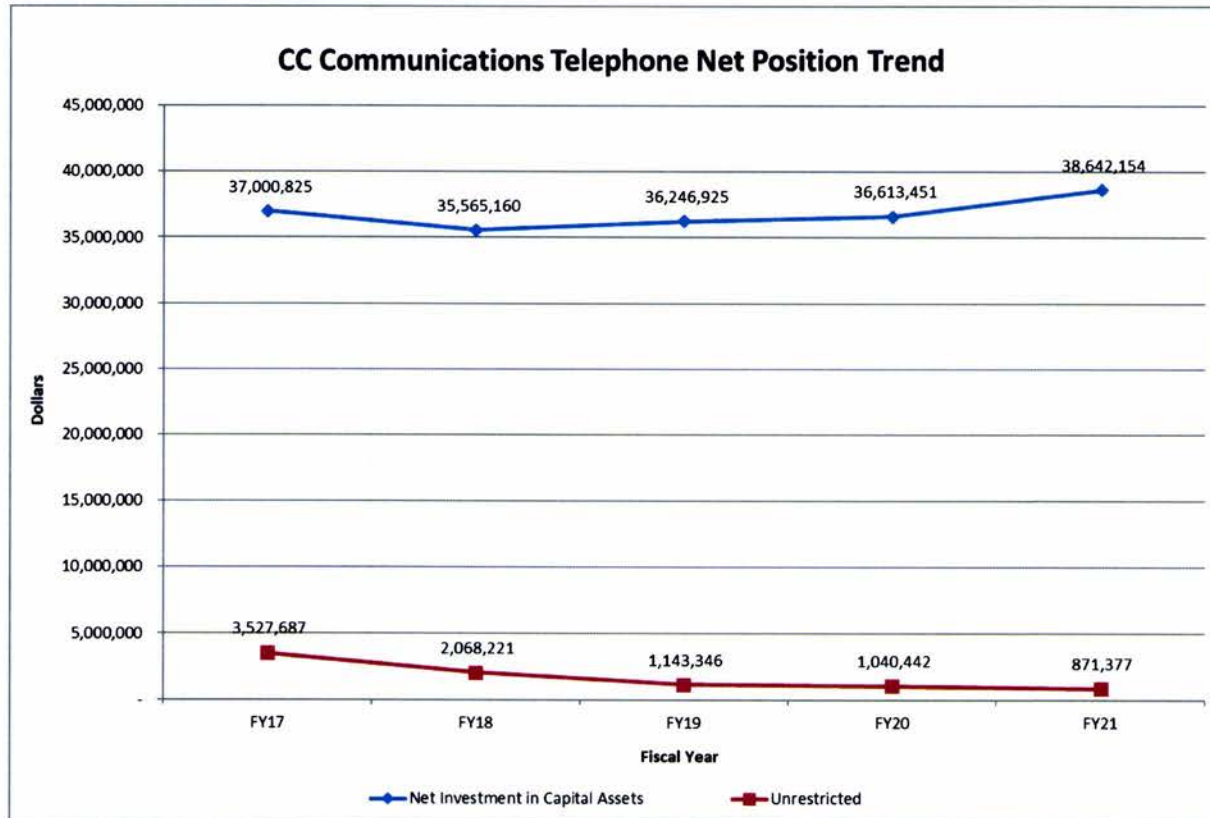
Audit Reports

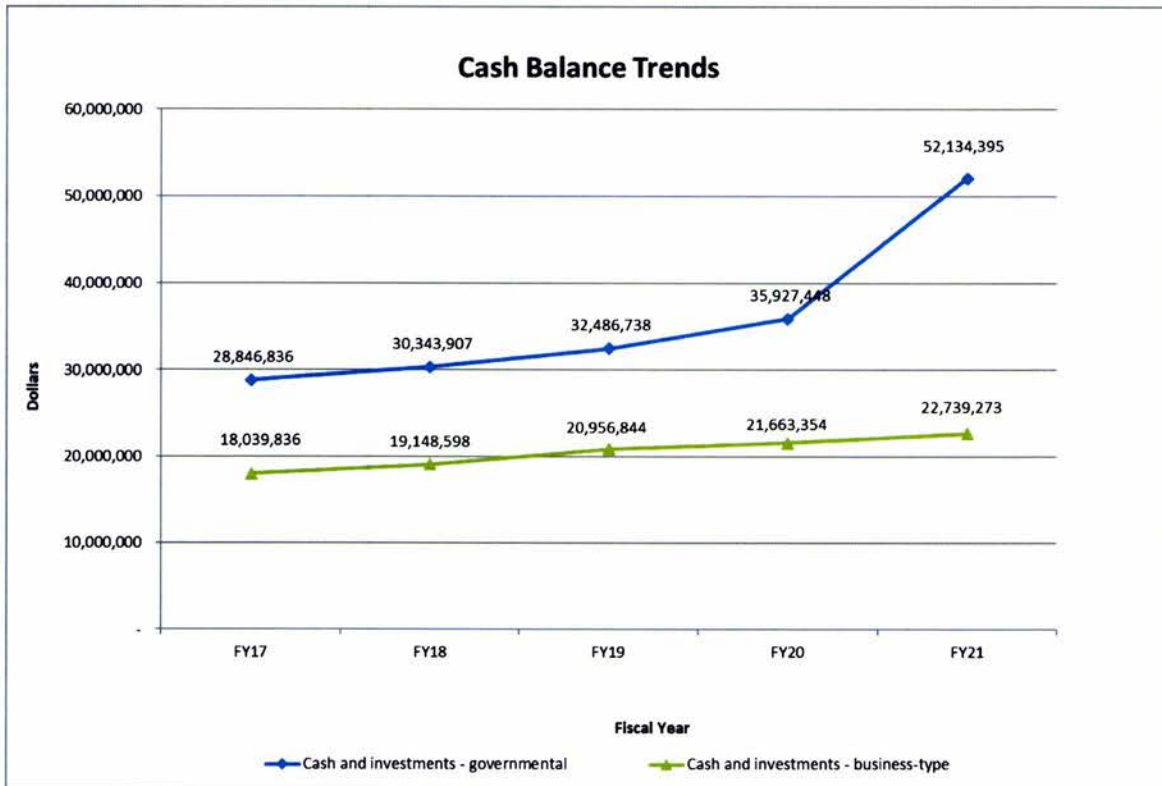
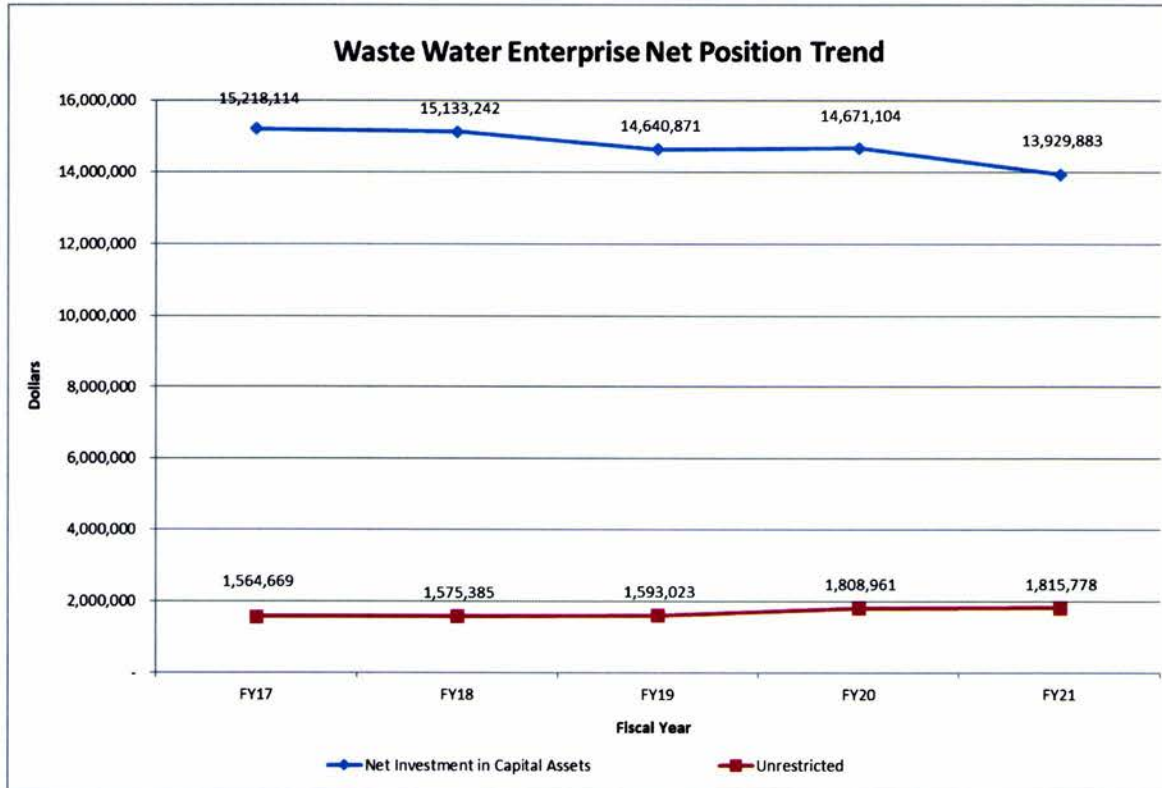
- **Independent auditors report – page 15**
 - Unmodified opinion or “clean opinion”
- **Report on Internal Controls over Financial Reporting and On Compliance – page 213**
 - No internal control deficiencies or noncompliance reported
- **Report on Compliance with Statutes and Administrative Code – page 215**
 - One new instance of noncompliance reported
 - 2021-001 Budgetary Compliance – see page 226
 - Corrective action plan – page 229
- **Independent Auditor’s Report on Compliance for Each Major Program and on Internal Control over Compliance Required by Uniform Guidance – page 223**
 - No instances of noncompliance or internal control deficiencies reported
 - Low risk auditee – see page 225

Financial Highlights

- All funds operated within approved budgets, except Regional Transportation (page 137) and Scholarship Fund (page 156)
- Changes in fund balances – governmental funds - page 36
- Changes in net position – business-type funds- page 41
- Review of fund balance and net position
 - Assets – liabilities = fund balance or net position







Chairman Olsen asked if there was any public comment. Linda Thompson said how do I get a copy of that report? Comptroller Wideman said, after it is approved by the board it will be online.

Chairman Olsen said I wanted to thank the auditors and thank our staff for doing a fine job again this year.

Commissioner Justin Heath made a motion to recommend acceptance of the audit report and related findings for the Comprehensive Annual Financial Report for the Fiscal Year Ending June 30, 2021. Commissioner Greg Koenig seconded the motion, which carried by unanimous vote.

D. - Consideration and possible action re: Appointment of Hillery "Page" Hiskett, Julie Gilmore, and Jaime Sammons to the Churchill County Cemetery Board

The Cemetery Board is an advisory board comprised of three (3) members, representing the public at large, who are to be appointed by the Board of County Commissioners. Terms are four (4) years from the date of appointment, with initial appointments to establish the board having one member serving a four (4) year term, one member serving a three (3) year term, and one member serving a two (2) year term, so that all board members' terms are staggered. All subsequent terms shall be four (4) years. As all three (3) positions on the board were vacant, advertising for the openings was published in the local paper and online. The county received a total of four applicants and interviewed all candidates.

Recommendation is being made to appoint Hillery "Page" Hiskett to a 4-year term, Julie Gilmore to a 3-year term, and Jaime Sammons to a 2-year term, with consideration of the applicants' experience/service, and understanding of the duties and responsibilities related to the appointment.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

County Manager Barbee made the presentation as outlined above.

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

Commissioner Gregory Koenig made a motion to appoint Hillery "Page" Hiskett to a 4-year term, Julie Gilmore to a 3-year term, and Jaime Sammons to a 2-year term on the Churchill County Cemetery Board. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

Following the appointments, each appointee was administered the Oath of Office.

E. - Consideration and possible action re: Reappointment of Bob Getto, Tom Riggins, and Alan Kalt to serve another term on the Board of Equalization through December 31, 2025

The Churchill County Board of Equalization (BOE) has the authority and is directed to determine the valuation of any property assessed by the County Assessor. Based upon such determination, the Board of Equalization may change the correct valuation found to be incorrect as it is necessary to

make it conform to the taxable value of the property assessed. The Board of Equalization is comprised of five (5) members and one (1) alternate appointed by the Board of County Commissioners, who serve four (4) year terms.

Bob Getto has served on the board since January 4, 1999 and has acted as the Chairman for many years. Tom Riggins has served since April 1, 2014 and Alan Kalt served first as an alternate and then was appointed as a regular board member since December 5, 2019. This board requires vast knowledge of real estate valuation and it takes members time to absorb and learn all of the complexities associated with this board position. Staff recommends that these board members, with their experience, be reappointed to serve another four-year term.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

County Manager Barbee made the presentation as outlined above.

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

Commissioner Gregory Koenig made a motion to reappoint Bob Getto, Tom Riggins, and Alan Kalt to the Board of Equalization through December 31, 2025. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

F. - Consideration and possible action re: Approval of needed repairs to Churchill County Fairgrounds

With the investment into the opening of the new Rafter 3C building, it makes sense to address upgrading of the other areas in the park. The overall plans are to attract large regional events to Churchill County that will use the entire fairgrounds. Provided for the board's consideration is a budget breakdown with a list of updates and associated costs to the current arenas, grounds, and buildings.

Staff will also be presenting a plan with a staged approach of short-term and long-term improvements. Upon approval of the funding, we will begin with reconfiguration of the main area and grounds, with a deadline of completing work before our first major outdoor event in April 2022, as well as performing work that will coincide with building upgrades. Staff will continue to develop strategies moving forward every season to enhance and update facilities for the future. The improvements are not only for attracting new events but also to encourage current events and programs to grow. With the opening of the new Rafter 3C building and updating current facilities, the community will see added economic increases, including a boost to the quality of offering for Churchill County citizens.

FISCAL IMPACT: The fiscal impact of making these improvements will enhance the facilities to handle and attract larger regional events. Streamlining the function of the entire fairgrounds will create success and sustainability of increased economic impact in Churchill County that will strengthen the local business community. Investing in these updates will assist in growing current events and programs to improve and increase revenues to cause more positive fiscal impact to Churchill County.

EXPLANATION OF IMPACT: The impact of this work will enhance the ability to attract large regional events. Additionally, it will provide for growth of current local activities to enhance the quality of life for citizens of Churchill County. This increased activity will boost the economy of Churchill County, with businesses seeing more demand for services, such as dining, room stays, commerce, gas sales, etc.

Not moving forward will have an adverse impact by hindering the ability to produce successful large-scale regional events, which could mark the Fairgrounds as a non-functional location for producing large events, causing producers to choose a different venue outside the area for their event.

FUNDING SOURCE: \$300,000.00 transfer from CC Communications.

ACTION REQUESTED: Accept

Jorge Guerrero, Parks and Recreation Department Director, made the presentation as outlined above.

Chairman Olsen asked if there was any public comment but there was none. He said you are going through a lot of things there, which are not all associated with the money we are talking about today, so could you pick up things that are in the \$300,000.00. Director Guerrero said, in front of you, I think you have the actual budget for that and so the first area would be the arena improvements and so you will see pipes there. That is just a load of pipes so that we can build all the alleyways and holding pens and then in time we are going to cover as much as possible, it is pretty warm around these parts in the summer. You are going to see there is a line item for sand. That will be an amendment for the old arenas. The panels are basically all of the equipment to do the facelift of the main arena. The fence crew is going to install all of that and also to take the pipe and build all the alleyways and holding pens. We also put some money in there to improve the sound system for the main arena and then, if you go up to the multi-purpose building, there is pricing for flooring, windows, and the corrugated siding for doing the inside of the building. We are also going to be picking up a few smaller items that we can do out of our current budget and then we put \$50,000 in there for paving, as far as we can go with that. We are going to be putting together a repair truck, which is going to be a flatbed with a welder, compressor, and those things, so that staff can repair panels and things that need fixing and also help with the installation of a lot of this stuff too. Our hope is for all of this to be completed by April first, as we have a lot of events starting in April.

Chairman Olsen said you are going to downsize the old arena? Director Guerrero said we are going to make it a little bit thinner, which is going to allow us to do some improvements in front of the announcer's booth. We have all our bucking chutes there and we are hoping to have some other amenities there. The length will stay the same.

Commissioner Koenig said the funding source says it is a \$300,000.00 transfer from CC Communications? Help me understand that I don't quite get that. County Manager Barbee said that is part of the payment in lieu of tax. Traditionally, some of those funds have gone the Parks and Recreation budget. Comptroller Wideman said that was put in last year when CC Communications gave us the extra \$300,000.00 at the end of the year. Director Guerrero said the majority of our budget is built off of funds from PILT, federal and local.

Chairman Olsen said, going down the road, are there any estimates of what steps 2 and 3 might cost? Director Guerrero said these are improvements mostly for Miners Road, which might be less expensive but not necessarily, I don't want to say. It depends on what type of stalls we want to do like barn stalls or open stalls. The pricing is dramatically different. As far as camping, are we going to have power, water, or sewer or is it going to be dry camping? It is just a matter of where we end up going. Once we start having events, that will tell us what that needs to be. If those are the things that are needed, then that means we are putting on some pretty massive events, which should be impacting the community to help with funding coming in. For the most part, we tackled the current facilities to make them function together so we can attract those larger events. County Manager Barbee said additional costs that we may see in the future would include the expansion of the RV dump, as well as an AG well that would give us greater pressure and capacity for some of the existing fields, as well as a redo of the festival area.

Commissioner Justin Heath made a motion to approve \$300,000.00 for planned improvements at the Churchill County Fairgrounds. Commissioner Gregory Koenig seconded the motion, which carried by unanimous vote.

G. - Consideration and possible action re: Renewal of the Transportation Agreement for use of Churchill County School District buses for the Parks and Recreation Department's 2022 Youth Ski Program

The Parks and Recreation Department is requesting permission to lease two school buses from the Churchill County School District. These buses will be used to transport youth to and from Sky Tavern Ski School. However, the dates are not completely set as of now. The dates will fall somewhere between January 8 and February 26, 2022. The Transportation Agreement will run for the duration of the ski program beginning in January. The Transportation Agreement has not yet been finalized and will be approved by the Churchill County School District after this meeting. The form of the Agreement will be much the same as the Agreement provided herewith from 2020, except it will including the agreed-upon dates and costs. However, staff is expecting the costs to be the same as they were in 2020.

FISCAL IMPACT: Fees are paid by participants to cover the costs associated with the leasing of the school bus. Costs are expected to be the same as they were in 2020 or very similar.

EXPLANATION OF IMPACT: Fees based on the listed lease terms of \$2.50 per mile. There is no adverse impact.

FUNDING SOURCE: Recreation Budget

ACTION REQUESTED: Accept

Director Guerrero made the presentation as outlined above.

Chairman Olsen asked if there was any public comment but there was none. He said Sky Tavern is owned by Washoe County? Director Guerrero said, I believe so. Commissioner Heath said do you know the difference in distance between the two? Director Guerrero said I think Sky Tavern is just a hair closer. Going to Diamond Peak over Spooner and all that, the bus could make that fairly easy. Sky Tavern is a little bit lower on Mount Rose so I think we will be okay. If we had to go all the way up to Mount Rose, I would be concerned.

Commissioner Gregory Koenig made a motion to approve renewal of the Transportation Agreement for use of the Churchill County School District's buses for the Parks and Recreation Department's 2022 Youth Ski Program. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

H. - Consideration and possible action re: Approval of an Agreement with Cashman Power Solutions for service maintenance of the county-owned and operated generators in the amount of \$13,600.00

Over the past several years, Churchill County has utilized Cashman as the vendor to perform the service on the county-owned and operated generators. The \$13,600 cost is split equally between the Public Works, Planning & Zoning Department (\$6,800.00) for service on the generators at the various lift stations and the backup generators at the Moody Sewer Treatment Plant and Sandcreek Water Treatment Plant and Facilities and Grounds (\$6,800.00) for the various backup generators at the facilities. The scope of work performed by Cashman is outlined in the proposal. The proposal is an increase of \$2,300.00 over the previous agreement due to the addition of the Civic Center backup generator and the Laboratory backup generator to the service schedule.

FISCAL IMPACT: \$13,600.00.

EXPLANATION OF IMPACT: The service being provided is for the maintenance of backup generators for the various systems and buildings should there be a power outage. This service assures that all generators are in peak operating condition so that no service is lost during the outage.

FUNDING SOURCE: General Fund, Contracted Services, split evenly between Facilities & Grounds and Public Works, Planning & Zoning.

ACTION REQUESTED: Accept

Public Works, Planning & Zoning Department Director, Chris Spross made the presentation as outlined above.

Chairman Olsen asked if there was any public comment but there was none. Commissioner Heath said does this cover the one at the golf course? Director Spross said no it does not. It covers all the running generators that we have.

Commissioner Justin Heath made a motion to approve the Cashman Service Agreement in the amount of \$13,600.00 for service of the county-owned generators to be split equally between the Public Works, Planning & Zoning Department and Facilities and Grounds. Commissioner Gregory Koenig seconded the motion, which carried by unanimous vote.

Letters Received:

A- Carson Water Subconservancy District's Financial Statements for Fiscal Year Ending June 30, 2021.

The Carson Water Subconservancy District provides its Financial Statements for Fiscal Year Ending June 30, 2021 for information of the board and public.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

B- Bureau of Land Management's notification of re-initiating the National Environmental Policy Act (NEPA) process for a proposal to withdraw the sagebrush focal areas (SFAs) to protect Greater sage-grouse and its habitat.

In compliance with an Order from the United States District Court for the District of Idaho (the Court), the Secretary of the Interior is re-initiating the National Environmental Policy Act (NEPA) process for a proposal to withdraw the sagebrush focal areas (SFAs) from location and entry under the Mining Law of 1872 to protect Greater sage-grouse and its habitat.

Consideration of the proposed withdrawal was initiated in September 2015 (80 Federal Register 57635, as corrected in 80 Federal Register 63583). In December 2016, the withdrawal proposal was amended and a draft Environmental Impact Statement (EIS) was released for public comment. In October 2017, the BLM cancelled the withdrawal application and proposal, and terminated the preparation of the EIS. The cancellation was then vacated by the Court on February 11, 2021 (Western Watersheds Project v. Bernhardt, Case No. 1:16-cv-00083-BLW, EFC 264). The Court ordered the BLM to consider " ...whether the withdrawal is needed for sage grouse conservation. Such proceedings shall include re-initiation of the NEPA process."

The BLM is now re-initiating the EIS under the National Environmental Policy Act (NEPA), to inform the Secretary's consideration of whether to withdraw any of the lands proposed for withdrawal.

The county was asked if it wanted to participate in the development of this EIS and a response was mailed as provided with this Agenda Report.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED:

C- Bureau of Land Management's notification that it has completed the Decision Record, Finding of No Significant Impact (FONSI), and Environmental Assessment (EA) for the Dixie Meadows Geothermal Development Project in Churchill and Pershing Counties, Nevada.

The Bureau of Land Management (BLM), Carson City District, Stillwater Field Office, has completed the Decision Record, Finding of No Significant Impact (FONSI), and Environmental Assessment (EA) for the Dixie Meadows Geothermal Development Project in Churchill and Pershing Counties, Nevada.

This EA analyzed the proposal by ORNI 32 LLC and potential impacts from the proposed development of this project that entails the construction of up to two 30-Megawatt net rated geothermal power plants; drilling, testing, and operating up to 18 geothermal production and injection well sites and 8 core hole sites; constructing and operating pipelines to carry geothermal fluid between well fields and the power plant(s); and constructing either a 120-kilovolt (kV) or a 230-kV gen-tie and associated structures.

Comments on the 2017 EA were accepted during the comment period, which ran from May 9,

2017, through June 30, 2017. Based on response to public comments, since that time, ORNI 32, in coordination with the BLM and partner agencies, including the U.S. Fish and Wildlife Service, Naval Air Station Fallon, U.S. Geological Survey, and Nevada Department of Wildlife, developed the Aquatic Resource and Mitigation Plan (ARMMP). The EA and unsigned FONSI were then modified and posted for a 30-day public comment period January 13 through February 12, 2021. Public comments received during the January 2021 30-day public review were considered in preparation of this EA, signed FONSI, and Decision Record.

In response to substantive comments received, the EA and ARMMP were further modified. Modifications primarily focused on providing further clarification to the EA and ARMMP. In the case of the ARMMP, a more thorough explanation regarding the use of existing monitoring data and information was incorporated to support adaptive management processes. As is further clarified in the ARMMP, the ARMMP identifies a framework of proposed adaptive management actions and mitigation measures based on monitoring results, baseline conditions and triggers, as well as thresholds based on the current understanding of the natural variability of hydrological and biological conditions, and the potential importance to special status species in Dixie Meadows.

A copy of the completed EA and signed FONSI are available on the project webpage at: <https://go.usa.gov/xAPfE>.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

D- Bureau of Land Management's notification of its Environmental Assessment (EA) to analyze the impacts of constructing a proposed steel jack/pipe rail fences to prevent off-highway vehicles from accessing subpopulations of Tiehm's Buckwheat to prevent crushing of plants, removal of plants, or degrading habitat for the species.

Pursuant to the National Environmental Policy Act (NEPA) and the Council on Environmental Quality regulations for implementing NEPA, the Bureau of Land Management (BLM), Tonopah Field Office, has prepared an Environmental Assessment (EA) to analyze the impact of constructing steel jack/pipe rail fences to prevent off-highway vehicles (OHVs) from accessing subpopulations of Tiehm's Buckwheat (*Eriogonum tiehmii*), preventing OHVs from crushing plants, removing plants, or degrading habitat for the species.

Tiehm's Buckwheat is a BLM sensitive species and was first discovered in 1983 and described in 1985. It is a low-growing perennial herb, with blueish gray leaves and pale yellow flowers that bloom from May to June and turn red with age. Seeds ripen from late-June through mid-July. Tiehm's Buckwheat is a narrow-ranging endemic known only from one population comprised of eight subpopulations.

The fences may be constructed in a phased approach. Initially, a steel jack/pipe rail fence, approximately 1,500 feet long, would be constructed along the unnamed wash road near subpopulation 1. BLM will monitor the effectiveness of this initial fence. If OHVs are still accessing the subpopulation, the steel jack/pipe rail fence would be extended up to half a mile along the unnamed wash road to further prevent access to the subpopulation. Signage would be

installed notifying the public of the sensitive resources in the area and to stay on existing roads and trails. In addition, a steel jack/pipe rail fence would be installed on the wash/exploration road south of the Coyote Summit/Cave Spring Road, preventing OHV access to subpopulations 3 thru 7. It is expected that the proposed action would disturb 0.25 acres outside of Tiehm's Buckwheat habitat.

The EA analyzes two alternatives:

- The Proposed Action, as summarized above;
- The No Action Alternative under which BLM would not approve the fences be constructed and the Tiehm's Buckwheat would continue to be impacted by OHVs.

The EA can be viewed on the BLM NEPA Register Page at <https://eplanning.blm.gov/eplanningui/project/2016217/510>. Written comments will be accepted until December 24, 2021, which can be submitted as outlined in the letter.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

E- Nevada Department of Taxation's approval of Churchill County's request for an extension of the filing requirements for the annual audit report.

Churchill County requested an extension of the filing requirements for the annual audit report. The department granted the extension until December 31, 2021.

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: Election of Chair and Vice-Chair positions for the Board of County Commissioners, Highway Commission, and CC Communications Management, and designation of board or committee assignments for 2022.

Each year, the board elects the position of Chair and Vice-Chair for the Board of County Commissioners, Highway Commission, and CC Communications Board, as well as appointing the Commissioners to serve on various boards and committees. The current list of assignments is provided for consideration. It is one again time that the board make the elections and appointments for these positions and boards/committees for the upcoming year.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Other

Chairman Olsen asked if there was any public comment but there was none. He said he would like to just continue with the slate that we have unless there is somebody that would like to make

changes. Commissioner Heath said I agree. Commissioner Koenig said I came into a little bit of conflict of Thursday evenings and that is when we hold the Stillwater and Lahontan Valley Conservation meetings, so I don't think I will be able to make the whole year on Thursdays, at this point, so if anyone has one they can trade me for those two. The Stillwater one meets at 5:00 PM one month and Lahontan meets at 7:30 in the other month. They are only 30-minute meetings is all. Commissioner Heath said where do they meet, at the office? Commissioner Koenig said no because the secretary does not want to get vaccinated, so they can't use that. She can't go in there for the meetings so we have been meeting at Ana's Café or out at the Stillwater School, which is really far out. It is about an hour drive for a 30-minute meeting. Commissioner Heath said I will take the Lahontan Valley Conservation since it is a little later. You can have the WNDD, which is usually on Monday's at 9:00 AM once a month or so by Zoom. County Manager Barbee said we have backup on that one as Bruce Breslow attends those, as well. County Manager Barbee said would it help if we tried to move those into a county facility? Commissioner Heath said it would be easy to try and make them then. Commissioner Koenig said I think they might be willing to do that because they do some at Ana's Café. Commissioner Heath said even Ana's Café is better than the Stillwater School, so we can do that. Commissioner Koenig said I enjoy those meetings but I just have something that came up and I can't make them.

Commissioner Gregory Koenig made a motion to keep everything as is with the exception of the swapping of the Conservation District's for the WNDD as discussed. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

B- Consideration and possible action re: Resolution 22-2021 Establishing a Special Revenue Fund known as Scholarship Trust Fund for Churchill County.

This resolution seeks to formally establish the Special Revenue known as the Scholarship Trust Fund and to dissolve the fiduciary Scholarship Trust Fund as a result of the implementation of GASB Statement No 84, *Fiduciary Activities*. Churchill County has accounted for all the activities for the Jim Regan Memorial scholarships within a fiduciary fund. GASB Statement No 84, *Fiduciary Activities*, now requires the establishment of Special Revenue Fund for these activities.

In accordance with Chapter 354 of the Nevada Revised Statutes, the county must pass a resolution to establish a new fund. The statutes require that the purpose, nature, and sources/uses of the fund must be outlined in the resolution. See the resolution for more details. An approved copy of the resolution must be forwarded to the Department of Taxation for their records.

FISCAL IMPACT: There is no new fiscal impact. This is considered a housekeeping item and the transactions will now be recorded in this Special Revenue Fund rather than a fiduciary fund.

EXPLANATION OF IMPACT: The funds must be used as provided for.

FUNDING SOURCE: From the General Fund to the Scholarship Trust Fund.

ACTION REQUESTED: Accept

A RESOLUTION ESTABLISHING A SPECIAL REVENUE FUND KNOWN AS SCHOLARSHIP TRUST FUND AND DISSOLVING THE FIDUCIARY SCHOLARSHIP TRUST FUND FOR CHURCHILL COUNTY AND OTHER MATTERS PROPERLY RELATING THERETO.

Comptroller Sherry Wideman said I did have a PowerPoint presentation for the audit, however if

you are in a hurry, I can send you all a PDF of that. Chairman Olsen said, I apologize, did I run over the top of you? Comptroller Wideman said it is okay. Chad did such an amazing job it wasn't necessary. Commissioner Koenig said I think we are in a hurry. Comptroller Wideman said I can send you all a PDF of that then. Chairman Olsen said I am sensing that is what we want to do. We have a bunch of tours to do today.

Comptroller Wideman said this is a new Scholarship Trust Fund that according to the new GASB Statement No 84, it is no longer a fiduciary fund, which are funds that the school district or TCID where the money just flows through, whereas, the Scholarship Fund, is a special revenue fund, which was required by NRS, so that is what I am asking you to do with this one. It is just housekeeping.

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

Commissioner Justin Heath made a motion to approve Resolution 22-2021 establishing a special revenue fund known as the Scholarship Trust fund and dissolving the fiduciary Scholarship Trust Fund for Churchill County and, furthermore, directing the Comptroller to forward a copy of the Resolution to the Department of Taxation in accordance with Chapter 354 of the NRS. Commissioner Gregory Koenig seconded the motion, which carried by unanimous vote.

Consent Items:

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

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

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

B- Consideration and possible action re: Report to the Nevada Legislative Counsel Bureau of the disability services being provided in Churchill County pursuant to NRS 435.010.

Each county has an obligation to provide services for the care, support, and education of children with intellectual disabilities within their county. Specifically, Nevada law provides that: "The boards of county commissioners of the various counties shall make provision for the support, education, and care of the children with intellectual disabilities, and children with related conditions, of their respective counties." (NRS 435.010(1)).

The Legislature passed a bill requiring each county having a population of 100,000 or less to provide a report containing a description of the county's actions pursuant to NRS 435.010 to the Director of the Legislative Counsel Bureau. Specifically, AB 307 states: "The board of county commissioners of each county whose population is less than 100,000 shall submit a report to the Director of the Legislative Counsel Bureau for transmittal to the Legislature, if the Legislature is in session, or to the Legislative Committee on Health Care if the Legislature is not in session. The report must include, without limitation, a description of the action the county is taking to comply

with the requirements of NRS 435.010.” (AB 307, Section 3, No. 2).

Churchill County is in full compliance with NRS 435.010 and has entered into an Interlocal Agreement with the State of Nevada to provide support, education, and care for children with intellectual disabilities and children with related conditions. Specifically, Churchill County, through the State of Nevada, provides the following services:

1. Respite Care – approval on a case-by-case basis.
2. Targeted Case Management – all participants.
3. In-Home Habilitation – as requested.
4. Purchase of Service – case-by-case basis.
5. Supportive Living Arrangement- as requested.
6. Clinical Services – all participants.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

C- Consideration and possible action re: Building Department's Revenue Report for November 2021 totaling \$53,188.95.

The Building Department provides its Revenue Report for October 2021 for the board's consideration and acceptance. A total of \$53,188.95 was received for the month.

FISCAL IMPACT: \$53,188.95

EXPLANATION OF IMPACT: Fees collected to help offset services provided

FUNDING SOURCE: General Fund

ACTION REQUESTED: Accept

D- Consideration and possible action re: Building Permit Activity Report for November 2021.

Provided for the board's review is the report showing 40 permits issued in the month of November 2021. Included in the 40 permits are 1 single-family-dwelling, 4 commercial permits, 0 industrial permits, 8 manufactured home permits and 4 septic permits.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

E- Consideration and possible action re: Public Works, Planning & Zoning Department Revenue Report for November 2021 showing a total of \$83,287.59 in revenue for the month.

The Public Works, Planning & Zoning Department submits its Revenue Report for the month of November 2021 showing a total of \$83,287.59 in revenue. This report is provided for the Commissioners' review and acceptance.

FISCAL IMPACT: \$83,287.59 in revenue for the month.

EXPLANATION OF IMPACT: Fees to off-set services provided by the department.

FUNDING SOURCE: General Fund.

ACTION REQUESTED: Accept

F- Consideration and possible action re: Recorder's Monthly Apportionment Report for November 2021 totaling \$65,896.60 in revenue for the month.

Churchill County Recorder, Tasha Hessey, provides her Recorder's Monthly Apportionment Report for November 2021 totaling \$65,896.60 in revenue for the month. Further details can be found in the report. This report is provided for the board's consideration & approval.

FISCAL IMPACT:

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

FUNDING SOURCE: General Fund

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:

- We had the Audit Committee meeting that I participated in via telephone from the top of Donner.
- Eddie Venturacci passed recently and he had served with Frank Soares and they coached me through the Stillwater Conservation District.
- The tribe approved a marijuana dispensary but I don't know where it will be placed.

Commissioner Koenig reported on the following topics:

- Library Strategic Plan has been finalized and will be presented.
- Stillwater Conservation District meeting.
- Lahontan Conservation District meeting tomorrow.
- Fallon Youth Club and Museum Board meeting scheduled at same time so made appearance at both.

Commissioner Heath reported on the following topics:

- We had a Park & Recreation Commission Christmas dinner.
- We had a WNDD meeting.

County Manager Barbee reported on the following topics:

- Wonderful Employee Appreciation Dinner this past Friday, with 240 people who attended.

- Have lots of development stuff happening.

Comptroller Wideman reported on the following topics:

- We just finished the audit.
- We are rolling into the budget.

Chief Civil Deputy DA Shawcroft had nothing to report.

Clerk/Treasurer Rothery reported on the following topics:

- Sent out about 1,100 courtesy letters.
- I was invited to meet with the Republican party, which I did with Erin Montalvo and Mark from Secretary of State. It went well.

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 2:30 PM.

Departmental Tours:

A- The Churchill County Board of Commissioners will conduct Departmental Tours following the close of the meeting as follows:

Department

Social Services & Public Health at 485 W. B Street, Fallon, NV

Justice Court at 71 N. Maine Street, Fallon, NV

Court Services at 71 N. Maine Street, Fallon, NV

Emergency Management at 507 S. Maine Street, Fallon, NV

CC Communications at 899 S. Maine Street, Fallon, NV

These Departmental Tours are for information-gathering purposes only and no action will be taken.

The board will conduct departmental tours and jail inspection at the close of the regular meeting. No action will be taken as this tour is conducted for information-gathering purposes only and for the purpose of conducting the quarterly jail inspection pursuant to statutes.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A
ACTION REQUESTED: Other

These tours were conducted following the adjournment of the regular meeting but no action was taken, as they were conducted for information-gathering purposes only.

Approved: 
H. Peter Olsen, Jr., Chairman

Approved: 
Greg Koenig, Vice-Chairman

Approved: 
Justin Heath, Commissioner

ATTEST:
Linda Rothery, Clerk/Treasurer


Renae Paholke, Deputy Clerk