

MINUTES OF THE BOARD OF CHURCHILL COUNTY COMMISSIONERS

155 N. Taylor St., Fallon, NV 89406

March 3, 2022

Call to Order:

The regular meeting of the Board of County Commissioners was called to order at 8:15 AM on March 3, 2022.

PRESENT:

Commissioner H. Peter Olsen, Jr.
Commissioner Gregory Koenig, via telephone
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.

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 25th day of February, 2022, between the hours of 1:00 and 5:00 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.**

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

A- February 3, 2022.

The Minutes of the meeting held on February 3, 2022 are submitted for the board's consideration and approval.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Commissioner Justin Heath made a motion to approve the Minutes of the meeting held on February 3, 2022 as submitted. Commissioner Gregory Koenig seconded the motion, which carried by unanimous vote.

Appointments:

A. - Consideration and possible action re: Application for community support funding in the amount of \$1,160.23 for the Stillwater Community Center Association.

A copy of the Application for funding submitted by the Stillwater Community Center Association is provided for consideration. The objective of this group is to restore, preserve, repair, and maintain the historic Stillwater School House. The Association relies upon donations from the citizens of Stillwater and has minimal funds with which to pay their utility bills and perform repair and maintenance on the building. The property was assessed and a property tax bill was sent for FY 21-22 in the amount of \$1,160.23, which the Association paid in full. Furthermore, the Association is a non-profit and applied for tax exempt status, which was granted for the upcoming tax year FY22-23 (see attached letter from Churchill County Assessor). The request for funding is only for the amount the group paid in property taxes for FY 21-22, which was \$1,160.23.

FISCAL IMPACT: \$1,160.23.

EXPLANATION OF IMPACT: The county has a line item budget for community support items, which was funded with \$20,000 for this fiscal year. Currently, the fund has \$5,295 remaining, so there are available funds should the board approve this request.

FUNDING SOURCE: Community Support / Miscellaneous Grants (100-401-70300).

ACTION REQUESTED: Accept

County Manager Jim Barbee made the presentation as outlined in the Agenda Report.

Cortney Dahl said I am here with Ted de Braga who attended the Stillwater School and he has been in charge of the school and has done a lot of maintenance since the School District turned it over to us. The citizens of Stillwater have paid the cost of all that maintenance and we continue to do so. In addition to paying the taxes, we are responsible for the insurance. There are quite a few things that need to happen. The water out there is bad and there are expenses related to that. The \$1,160.23 in taxes took about half of what money we had. County Manager Barbee said we did confirm that they are on the list and will be exempt on that property tax moving forward.

Ted de Braga said my dad came in 1910 and moved to Stillwater and went to school there. The school was built in 1918. It was a community hub for a number of years. We used to vote there. There was a constable and a sheriff there. The school was consolidated in 1958. I graduated from 8th grade in 1952. There were 8 of those little schools in the valley at one time and Stillwater School and Harmon School were the last 2 that survived consolidation. Everybody said it was like a different part of the country out there, like it was not even in the United States. When this issue came up, I contacted Greg. The \$1,160.23 is pretty much from donations. There have been weddings, funerals, and all kinds of things at the school and we have maintained it. We appreciate the help.

Chairman Olsen said I have been out there recently and this is a small thing the county can do to help a community group like that that is trying to preserve this. I don't have a problem with it at all.

Commissioner Heath said I went out there last week and took a tour of it. They are doing a great job. They showed me the plumbing and how everything is geothermal to heat the place and I understand how things have to be maintained but it was a very nice structure. They have maintained it very well. I support this. Commissioner Koenig said I am happy we can help them out.

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

Commissioner Justin Heath made a motion to approve community support funding in the amount of \$1,160.23 for the Stillwater Community Center Association. Commissioner Gregory Koenig seconded the motion, which carried by unanimous vote.

B. - Consideration and possible action re: A Parcel Map Application to divide one (1) parcel into four (4) parcels filed by Hiatt Land & Development Company for property located at 2880 Enterprise Way, Assessor's Parcel Number 007-311-42, consisting of 21.73 acres in the Industrial zoning district

This Parcel Map Application was submitted in mid-2018 and has been on hold to figure out road and drainage issues. The delay caused the map review to extend through multiple planning efforts that revised Application materials, map certificate, etc. As progress was made on the project, the map has been revised multiple times. This review will also address recent changes to policies regarding the treatment of existing roads and new private roads.

The Applicant is requesting a Parcel Map to split the large Industrial property into four lots, separating three small parcels from a large remainder parcel. The 3 small parcels will be served by a new road, giving them access to Enterprise Way. The large remainder parcel will have access both from the new road and its Enterprise Way frontage. The parent parcel has historically been used to support the A & K Earth Movers construction business, with a variety of equipment, facilities, and operations – including an asphalt plant. Most of that activity has ceased but there are facilities that must be considered in laying out the new parcels, such as things that cross property lines or within the new road's setback. The Applicant has future plans to divide more lots from the remainder parcel, including a continuation of the new road. Pursuing these plans will be complicated by County Code requirements and Master Plan policies regarding the use of sewer and water services.

The Planning Commission recommended approval for this application.

Recommended conditions for approval:

- 1) Changes shall be made for compliance with Churchill County Code, including but not limited to:
 - a) Minor typographical and organizational changes to the map and certificates.

b) Making any changes to the Owner Certificate and Churchill County Commissioner's Certificate needed to be consistent with the final decision on offers to grant easements and dedicate land and facilities.

c) Roads serving the development shall be constructed or financially guaranteed before recording the maps. Any portions of project roads that are off-site of project land shall be constructed at the developer's expense and offered for dedication to the County through appropriate processes.

d) Water dedication requirements must be met prior to recording the map.

e) Structures that cross property lines will be removed or moved to locations that meet county standards. Structures that are near the setback for the new road shall be shown on the map and labeled with their distance to the road easement and, if within a setback, they shall be removed or a variance obtained to let them remain before recording the map.

f) A Road Name Application and Address Application (for the new lots) shall be submitted and approved before recording the map.

2) Any final changes required by the County Surveyor shall be made prior to recording.

3) The label on Parcel 3 referring to an approved road plan shall be replaced by a label identifying that the road is proposed, its construction standard, and offering it for dedication.

4) A note shall be added that prohibits Parcel 4 from accessing onto Enterprise Way.

5) A road maintenance agreement that assigns responsibility for maintaining the new road to the parcels within the map shall be recorded along with the map. The agreement shall be approved by the Public Works Director. Associated notes shall be placed on the map.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Dean Patterson, Associate Planner, made the presentation as outlined in the Agenda Report.

Chairman Olsen asked if there was any public comment but there was none. He said does the road maintenance agreement pertain to Enterprise Way? Associate Planner Patterson said no, to the new private road, the one with the cul-de-sac on it. Chairman Olsen said if there was ever an urge to develop Parcel 1 and they wanted to extend that, at that time, there would be a whole new level of due diligence we would have to do with water, septic, paving, and all of that jazz, so, as long as they keep it down to those 4 lots, we are in good shape. Anything beyond that then they will have to come back here and talk to us again. Associate Planner Patterson said more decisions will have to be made about the road and the future decision makers may decide it should be a county road but that is an option that is left open at this time. Chairman Olsen said I am okay with this but I just don't want to see us do this a piece at a time. We end up allowing gravel roads in the county and I don't want to see that happen because we have created so many problems for ourselves in the past and we have been a little creative here and there and I am okay with that creativity but we want to keep it down because it has been such a sore spot for us. This business is a little different for us. They may want to spend a little money to keep the road up but with homes, it is a problem. People don't have the money or don't want to spend the money. Associate Planner Patterson said this will be a paved road, so it will be less demanding

as far as maintenance.

Commissioner Heath said this is all zoned commercial use? Associate Planner Patterson said it is industrial use. This is the property right next to the transfer station. There is a small property with a propane business on it. County Manager Barbee said this is close to where, if anything ever happened on our Lands Bill, we have a request for Economic Development property in that same location for future use.

Commissioner Justin Heath made a motion to approve the Parcel Map Application for Bart Hiatt to divide APN: 007-311-42 into four parcels, subject to the conditions listed in the Agenda Report and in the Planning staff report; to accept the offer to grant easements identified on the map; and to reject all offers to dedicate lands and improvements at this time. Commissioner Gregory Koenig seconded the motion, which carried by unanimous vote.

C. - Consideration and possible action re: Application to PERS to Renew the certification of the Emergency Manager position for Churchill County as a Critical Labor Shortage Position

The county has the part-time (19 hours per week), regular position of Emergency Manager in its inventory of positions. This position is currently filled by Mike Heidemann, who is a PERS retiree from another public employer in Nevada. Because he is a PERS retiree, he is normally limited by PERS regulations to working no more than 1,039 hours in a fiscal year and he is not allowed to earn more than \$26,000 in a fiscal year from a public employer.

PERS regulations include a provision in NRS 286.523 which allows a public employer to designate specific positions as qualifying for a Critical Labor Shortage (CLS). If a position is approved as a CLS position, the employer may employ a previously retired PERS retiree into the position and exempt him/her from the PERS limitations. This can be done for a position which is already filled. The designation lasts for two years.

In May of 2020, to help address the additional hours of work required of the position due to the COVID-19 outbreak, the board approved the position to be designated as a Critical Labor Shortage position by PERS. Such a declaration, which was effective retroactively at the time to April 6, 2020, expires after two years unless it is renewed. Staff is requesting a renewal of the declaration by the board.

If approved, the position would continue to be exempt from PERS contributions. The county and employee would continue to make contributions to Social Security.

Pursuant to PERS regulations, the Commissioners are required to take the following points under consideration:

- * The rate of turnover for the position.
- * The number of openings we have had for that position and the number of qualified candidates for those openings.

- * The length of time the position has been vacant.
- * The difficulty in filling the position due to special circumstances.
- * The history and success of the efforts to recruit for the position.

That information is included as part of the agenda.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: Staff is not seeking to increase the Emergency Manager's hours any more than they have been for the past two years.

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Human Resources Director Geof Stark made the presentation as outlined in the Agenda Report.

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

Commissioner Justin Heath made a motion to designate the Emergency Manager position as a Critical Labor Shortage (CLS) pursuant to NRS 286.523 in accordance with PERS criteria, effective April 6, 2022. Commissioner Gregory Koenig seconded the motion, which carried by unanimous vote.

D. - Consideration and possible action re: Request from Sue Sevon to participate in the Churchill County's Retirement Incentive Plan and the county's payment of approximately \$6,600 for PERS credit

The Board of County Commissioners revised and approved the Retirement Incentive Plan in in October 2000. Revisions were made to the policy in December 2014 and further revisions were made and adopted by the board in December of 2015 (see Policy).

Key components of the plan are as follows:

- To be eligible for this program, an employee must have completed 25 years of service and must be eligible to retire with 30 years of retirement credit under the provisions of the Public Employees Retirement System.
- Applications must be submitted to the County Manager at least four months and not more than 12 months prior to the proposed retirement date.
- The county will participate in the purchase of retirement credit of up to 3 years as follows: 50% purchase by the county and 50% by the employee.

Sue Sevon originally submitted her Application in December of 2021. She submitted an updated Application on January 25, 2022. Her proposed retirement date (last paid day at work) is June 14, 2022. Ms. Sevon is requesting the county to purchase 2 months of service credit. If this Agenda item is approved, she would purchase two months. She will then have met the required employee purchase amount.

As of her proposed retirement date, she would have 27.25 years of service with the county and 28.57 years of service credit with PERS. She is requesting the Board to waive the requirement

that she have a total of 30 years of PERS credit; she is already reaching the maximum 75% benefit so waiting until the 30-year point will not result in any greater benefit.

The estimated cost of the purchase is approximately \$6,600, based on an estimate provided by PERS to Ms. Sevon. As has been the case with previous retirement incentive participants, a final number will not be known until a purchase agreement with PERS is in place. In determining whether there is financial savings to the county, staff has followed past practice and projected savings based on a new employee being hired at the first step of the current employee's paygrade, in this case Grade 77, and looking at the first three years of employment. Based on this projection, after the county's purchase, the county would save a total of \$97,345 in salary and benefits costs in the first three years.

FISCAL IMPACT: Approximately \$6,600. Final amount to be determined.

EXPLANATION OF IMPACT: Cost of PERS service credit for two months is based on an estimate Ms. Sevon received from PERS for purchasing service time.

FUNDING SOURCE: Compensated Absence Fund.

ACTION REQUESTED: Accept

Human Resources Director Geof Stark made the presentation as outlined in the Agenda Report.

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

Commissioner Justin Heath made a motion to approve Sue Sevon's request and to authorize the purchase of 2 months of PERS credit on Ms. Sevon's behalf, contingent on her purchasing enough PERS credit to match the county's 2 months, waiving the requirement that the employee have 30 years of PERS credit. Commissioner Gregory Koenig seconded the motion, which carried by unanimous vote.

E. - Consideration and possible action re: Ratification of the Notice of Subaward from the State of Nevada, Division of Public and Behavioral Health, to Churchill County Social Services for Fiscal Years 2022 and 2023 totaling \$2,025,160.00 for a CDC Workforce Grant

Social Services has received a Notice of Funding Award for health-related activities, including but limited to, costs for health district development, health department software, health department staffing for 4 counties, health officer contracts, and costs related to supporting direct community services.

FISCAL IMPACT: Health approved expenditures September 1, 2021 - June 30, 2023, with the option to extend until 10/30/2023 for \$2,025,160.

EXPLANATION OF IMPACT: \$2,025,160 for 24 months with an option to extend up to 3 months.

FUNDING SOURCE: State of Nevada DPBH - CDC Workforce Development.

ACTION REQUESTED: Accept

Social Services Director Shannon Ernst made the presentation as outlined in the Agenda Report.

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

Commissioner Justin Heath made a motion to approve funding as presented.

Commissioner Gregory Koenig seconded the motion, which carried by unanimous vote.

F. - Consideration and possible action re: Notice of Subaward from the State of Nevada, Aging and Disability Services Division, to Churchill County Social Services for Fiscal Year 2022 in the amount of \$19,176 for the provision of domestically produced food purchases per Title III-C provisions

Churchill County has been awarded \$19,176 for the provision of domestically produced food purchases per Title III-C provisions.

FISCAL IMPACT: \$19,176 for food purchases; no match required.

EXPLANATION OF IMPACT: Funding to offset food costs for Meals on Wheels and dining room service (C-1 and C-2 programming).

FUNDING SOURCE: State of Nevada ADSD Planning, Advocacy, and Community Services (PAC) NSIP and ACL.

ACTION REQUESTED: Accept

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

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

Commissioner Justin Heath made a motion to approve funding as presented.

Commissioner Gregory Koenig seconded the motion, which carried by unanimous vote.

G. - Consideration and possible action re: Notice of Subaward from the State of Nevada, Aging and Disability Services Division, and Churchill County Social Services for Fiscal Year 2022 in the amount of \$70,238.79 for capital improvements and equipment purchases

Churchill County Social Services has been awarded \$70,238.79 for capital improvements, equipment purchases that include a new Meals on Wheels truck with refrigerator/heat box, truck baskets, data loggers for refrigerator and freezer, computers and printer for the kitchen and driving staff, a new sink to be installed in the dining room used dish area, and food carts.

FISCAL IMPACT: \$70,238.79 Capital Improvement Funding; \$10,535.82 cash / unkind Match - applied for \$18,222.64 from USDA for 35% of MOW Costs.

EXPLANATION OF IMPACT: Purchase of equipment for William N. Pennington Life Center; match to be provided via cash or in-kind totaling 15%, pending USDA funding for truck purchase totaling \$18,222.64.

FUNDING SOURCE: ADSD Capital Improvements - COVID 19 ARPA

ACTION REQUESTED: Accept

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

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

Commissioner Justin Heath made a motion to accept funding as presented and to authorize the Director of Social Services to purchase equipment. Commissioner Gregory Koenig seconded the motion, which carried by unanimous vote.

H. - Consideration and possible action re: Contract between Burney's Commercial Service to provide the William N. Pennington Life Center kitchen and dining room equipment maintenance biannually at a cost of \$2150 per year

The William N. Pennington Life Center has kitchen and dining room equipment that is recommended to undergo regular maintenance to extend its life. Since July 2021, the equipment has been upgraded and replaced and there is the need to obtain a Contract for regular maintenance, which includes the replacement of filters, cleaning, etc. to prolong the life of the equipment. It is proposed to enter into a Contract bi-annually with Burney's Commercial Service to complete said services. The cost per visit would be \$2,150 for travel and labor but the costs of filters or replacement parts are not included.

FISCAL IMPACT: \$4,300 per year, not including parts and filters.

EXPLANATION OF IMPACT: The contracted rate to complete regular equipment maintenance.

FUNDING SOURCE: Senior Services Tax Levy - Contracted Services.

ACTION REQUESTED: Accept

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

Chairman Olsen asked if there was any public comment but there was none. He said does this include the refrigerator and freezer? Director Ernst said it does include the refrigerator and freezers. We have had so many problems with the freezer. It is all of it. It is cleaning it all and making sure we keep it to the best it can be.

Commissioner Justin Heath made a motion to approve the proposed Contract as presented and to authorize the Director of Social Services to execute the same. Commissioner Gregory Koenig seconded the motion, which carried by unanimous vote.

I. - Consideration and possible action re: Contract with All Valley Home Care to provide Homemaker Program services for eligible participants at the William N. Pennington Life Center for Fiscal Year 2022

Churchill County Social Services receives funding from the State of Nevada, Adult and Disability Services Division, to provide services to residents aged 60+ and persons with disabilities. Since September 2021, a contracted service is being provided by All Around Cleaning but it has been found to meet the needs of the community and avoid a waitlist of eligible participants where a second contractor is needed. ADSD provides up to \$25 per service unit for eligible participants. The proposed Contract would be provided at a proposed cost of \$20 per service unit, with a minimum of a 2 hour unit per service.

Current participants: 52 receiving services, 6 pending assignments for homemaker, 36 pending reassessment.

FISCAL IMPACT: \$20.00 per service hour, with a minimum of 2 service hours/service - not to

exceed grant funds obtained with required 15% match.

EXPLANATION OF IMPACT: Cost per unit of service.

FUNDING SOURCE: ADSD Homemaker - reimbursed up to \$20.00 per service unit.

ACTION REQUESTED: Accept

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

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

Commissioner Justin Heath made a motion to approve the Contract as presented and to authorize the Chair to sign the same. Commissioner Gregory Koenig seconded the motion, which carried by unanimous vote.

J. - Consideration and possible action re: Authorization to apply for USDA Rural Development Grant funding to support the purchase of a Meals on Wheels vehicle with the necessary equipment for the William N. Pennington Life Center

Churchill County Social Services is requesting authorization to apply for USDA Rural Development funding to support the purchase of Meals on Wheels truck and cooling/heating box. If awarded, the amount received would exceed the match requirements for ADSD funds awarded for the purchase and cover the additional costs due to market costs.

Authorization is requested for submittal of the grant Application and for the Chair to execute the Application, necessary documents to accept funding if awarded, and to authorize the Director of Social Services to complete the purchase if funded.

FISCAL IMPACT: \$75,920 total costs; \$26,572 USDA 35%; \$49,348 ADSD - Capital Projects.

EXPLANATION OF IMPACT: 100% grant-funded cost for purchase of a truck, cooling/heating box, and safety equipment by USDA / ADSD.

FUNDING SOURCE: USDA and ADSD.

ACTION REQUESTED: Accept

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

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

Commissioner Justin Heath made a motion to authorize submittal of the Application and to authorize the Chair to execute the grant Application, acceptance Agreements, and, further, to authorize the Social Services Director to complete the purchase if funded. Commissioner Gregory Koenig seconded the motion, which carried by unanimous vote.

K. - Consideration and possible action re: Authorization to apply for USDA Rural Development Grant funding to support the purchase of two vehicles for outreach services

Churchill County Social Services is requesting authorization to apply for USDA Rural Development funding to support the purchase of 2 vehicles to support outreach in Churchill County. If awarded, 35% of the cost would be granted by USDA and the remaining 65% would be funded from the IAF reimbursement if additional grant funds are not identified.

Currently, Social Services has three Caseworkers and four Resource Liaisons that conduct regular outreach, inspections, and necessary visits to help residents obtain housing, maintain housing, and safe living environments independently, but only have two vehicles dedicated to the staffing.

Authorization is requested to submit the grant, for the Chair to execute the Application, necessary documents to accept funding if awarded, and to authorize the Director of Social Services to complete the purchases if funded.

FISCAL IMPACT: \$ 23,186 per vehicle - \$46,316 Vehicles; \$500 car safety equipment; \$46,816 total cost for two vehicles; 35% USDA \$16,385.60 and 65% IAF Reimbursement \$30,430.40.

EXPLANATION OF IMPACT: Purchase of vehicles, title fee, and safety equipment (first aid kit, battery cables, flashers, etc.).

FUNDING SOURCE: USDA Rural Development; IAD Reimbursement FY22, unless additional funding source is obtained.

ACTION REQUESTED: Accept

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

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

Commissioner Justin Heath made a motion to authorize submittal of the Application and to authorize the Chair to execute the grant Application, acceptance Agreements, and, further, to authorize the Social Services Director to complete the purchase if funded. Commissioner Gregory Koenig seconded the motion, which carried by unanimous vote.

L. - Consideration and possible action re: Ratification of a Notice of Funding Award between the State of Nevada, Department of Public and Behavioral Health, and Churchill County Social Services in the amount of \$266,923 for the implementation and certification of the satellite Nevada State Lab

Churchill County Social Services has obtained grant funds to support the implementation and certification of the satellite Nevada State Lab. The funds will be used to pay for certification fees, equipment inspections, the purchase of additional lab equipment, initial lab supplies, and contracts for lab software.

FISCAL IMPACT: \$266,923 - Direct purchases.

EXPLANATION OF IMPACT: Support purchases outlined in the grant to implement lab services.

FUNDING SOURCE: State of Nevada, OPHIE, ELC.

ACTION REQUESTED: Accept

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

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

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

M. - Consideration and possible action re: Adoption of Resolution 5-2022 declaring certain equipment of the Fallon Churchill Fire Department as surplus property and authorizing the disposal of said property in any manner

The Fire Department is seeking authorization to dispose of certain items of equipment that have become outdated due to the use of newer SCBA packs. The list of items is attached as Exhibit A to the Resolution. The Fire Department intends to sell back these items to LN Curtis to get credit toward their new SCBA packs. NRS 332.185 authorizes the disposal of personal property in any manner.

FISCAL IMPACT: None.

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Adopt

Civil Deputy District Attorney Benjamin D. Shawcroft made the presentation as outlined above. Alex Haffner said this equipment will be sold to other fire departments instead of the public. We chose to do this because we did not think it would be safe for the public to have if it went to auction. It will take a good chunk of the price for the new air packs.

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

Commissioner Justin Heath made a motion to adopt Resolution 5-2022 as presented. Commissioner Gregory Koenig seconded the motion, which carried by unanimous vote.

N. - Consideration and possible action re: Award of a construction Contract to Rapid Construction, Inc. in the amount of \$1,059,950.10 for the installation of a water line from the redundant well to the Sand Creek Water Treatment Plant

This is the second phase of the redundancy for the water infrastructure. Phase 1 was the installation of the redundant well and Phase 2 is the installation of the water lines and appurtenances to connect the redundant well to the Sand Creek Water Treatment Plant. The county received 3 bids on February 23, 2022 and Rapid Construction, Inc. was the lowest responsive bidder with a bid of \$1,059,950.10. The engineer's estimate for the project was \$1,015,720.00.

FISCAL IMPACT: None as the funds from a USDA Loan/Grant and NDEP Capital Improvement Grant will pay for the project.

EXPLANATION OF IMPACT: There is no impact to the county as the loan/grants will pay for the project.

FUNDING SOURCE: USDA Loan/Grant and NDEP Capital Improvement Grant.

ACTION REQUESTED: Accept

Public Works Director Christian Spross made the presentation as outlined above.

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

Commissioner Justin Heath made a motion to approve the construction Contract as received in the public bid forum but not to execute the same until the county receives confirmation of funding from USDA. Commissioner Gregory Koenig seconded the motion, which carried by unanimous vote.

Letters Received:

A- Nevada Operation Lifesaver & Rail Auxiliary Team's Annual Report.

Attached is the annual report for the rail public safety and security program supported by the Nevada Office of Traffic Safety. You will note that during 2021 the Rail Auxiliary Team and Nevada Operation Lifesaver implemented an initial grant-funded rail safety and security program in Churchill County and we want to expand and do more this year.

The purpose of this letter is to inform you of our upcoming grant-funded efforts in Churchill County and hope that each of you will support keeping your constituents safe and secure around rail operations. Our goals in your county this year will be:

1. Tailor a rail public safety education campaign based upon your specific community/county needs not a generic cookie-cutter approach.
2. Offer training for county law enforcement and emergency responders on how to safely respond in a rail environment.
3. Continue to work with your Road Department to implement our "active awareness" program which develops positive driver reaction at railroad grade crossings.
4. Provide any other support that you may so direct.

We will personally reach out to each county department to offer our assistance and hope that you will support our efforts. Thank you in advance for your support and I will be able to answer your individual questions or provide the entire Board with a presentation on our efforts should you desire.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

B- Nevada Division of Environmental Protection's notification of its Quarterly Report for NAS Fallon NOU Sites 2-4.

The Nevada Division of Environmental Protection provides notice of its Quarterly Report for NAS Fallon NOU Sites 2-4. The Quarterly Report describes remedial actions that consisted of biweekly light nonaqueous phase liquids (LNAPL) recovery from existing monitoring wells at NOU Sites 2 and 4. The intent of the recovery action is to reduce the amount of free product in

the subsurface to the maximum extent practical. Seven LNAPL recovery events were performed from September 28 through December 21, 2021. There were 18 monitoring wells in which measurable amounts of LNAPL were removed in at least seven recovery events, including the four monitoring wells on the automated system. A total of 414.7 gallons of LNAPL were recovered during the seven recovery events, indicating there is still a large amount of free phase LNAPL at the groundwater interface.

Seventeen NOU Site 3 monitoring wells were gauged and sampled between September 29-30, 2021. The wells were sampled for volatile organic compounds using EPA Method 8260B. Trichloroethylene (TCE) and vinyl chloride are the main contaminants of concern. Vinyl Chloride was not detected above the Navy target level of 1.0 ug/L. TCE was detected above the US EPA maximum contaminant level of 5 ug/L and the Navy target level of 1.7 ug/L in three monitoring wells.

The recommendation in the Quarterly Report is that LNAPL recovery events should continue, including the automated recovery system, at least on a biweekly basis; annual site-wide gauging events should continue and include the Hot Pit Area monitoring wells; and semiannual groundwater monitoring events should continue until TCE is reported below the Navy action level. The NDEP concurs with the recommendations presented in the Quarterly Report.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

C- Nevada Division of Environmental Protection's notification of a Release/Spill of contaminants at 24 East Center Street, Fallon, Nevada at the Ray Ferguson Property.

The Nevada Division of Environmental Protection (NDEP) received notification on February 8, 2022 of a Release/Spill (Release) of contaminants at the above-described property. During a Limited Phase II ESA, MTBE-impacted groundwater was discovered on the property and some areas of soil impacts from total petroleum hydrocarbons were encountered. Because this release appears to have resulted in contamination and exceeds limits or quantities established by the Nevada Administrative Code (NAC) 445A.347 or 445A.3473, you are required to provide an evaluation of the release per NAC 445A.2269 and NAC 445A.227.

Accordingly, the property owner is required to provide one of the following reports within 45 days from the date of this letter, and no later than March 25, 2022:

A. For releases that have only impacted soil (not groundwater or surface water), have been excavated such that all residual soil concentrations of contaminants are less than state action levels listed in NAC 445A.2272, and meet other criteria listed in Attachment A, provide a report that contains all the information listed in Attachment A; or

B. For all other Releases that do not meet the criteria listed in Attachment A, a report that contains all the information listed in Attachment B.

Should the owner have trouble meeting this deadline, they may contact the undersigned to discuss the need for additional time, as the NDEP is interested in resolving incidents such as this as efficiently and amicably as possible.

This information will be used to ensure that sound decisions are collectively made regarding the release. The release of contaminants can be harmful to human health and the environment and you may be required per NAC to perform cleanup activities related to the release. You should make every effort to determine the source and location of the release. Additionally, every effort should be made to isolate, contain, and remove the source of the release; and repair or replace equipment and revise operating, maintenance and inspection procedures necessary to prevent recurrence of this release.

Community health and safety concerns require that you undertake rapid recovery and remediation efforts. You should make every effort to assess the site and conduct cleanup as quickly as possible. Assessment and cleanup may be conducted concurrently. Quick response minimizes contaminant migration and helps reduce cleanup costs. Please recognize that Petroleum Fund Coverage and related work scope and reimbursement concurrences are managed through separate correspondence if these are applicable to this release.

NAC 459.9719 requires that consulting services involving response, assessment, or cleanup of a hazardous substance release that are conducted for a fee must be performed under the direction and responsible control of a Nevada Certified Environmental Manager. Information on the NDEP Certification Program can be obtained by contacting Certification Program staff at 775-687-9368 or at the Certification Program website at <https://ndep.nv.gov/environmental-cleanup/certification>.

NDEP requests all report documents be submitted in digital portable document format (pdf; e.g., compact disc, e-mail) concurrent with a hardcopy document. Please be advised that NDEP has a 20-megabyte limit for e-mail attachments.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

D- William N. Pennington Life Center's Menu and Activity Calendar for March 2022.

Shannon Ernst, Social Services Director, provides the Menu and Activity Calendar for the William N. Pennington Life Center for March 2022. These are provided 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

E- Public Health release of COVID-19 testing and vaccination schedules for Churchill and Mineral Counties for March 2022.

Shannon Ernst, Social Services Director, provides the COVID-19 testing and vaccination schedules for Churchill and Mineral Counties for March 2022. These are provided 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

Old Business:

A- Consideration and possible action re: General discussion on submitted budget requests from various county departments with direction being given to the Churchill County Comptroller on those budget requests as she prepares the Tentative Budget for FY 2022-2023.

On February 23rd, the board held its annual budget hearings with all county departments. During those hearings, the board determined that there needed to be additional fact finding and discussion concerning some of the budgets that were submitted. This agenda item provides the opportunity to continue those discussions and to receive additional information. The board will then provide guidance to the county comptroller as she prepares the Tentative Budget.

FISCAL IMPACT: None.

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Comptroller Wideman said we were tasked during the budget hearing to look at a few items to see if we could reduce them or clarify them a little more. There were meetings had and the Sheriff's Office was talked to about their services and supplies and those were reduced about \$100,000. Their Capital Outlay was reduced about \$25,000, so that makes about a 7% decrease in Services and Supplies and 12% decrease in their Capital Outlay. District Court was talked to about where their funding was coming from for the furniture. They gave us clarification that it is from their Capital Outlay for furniture and also for the reorganizing of the Law Library, which would only be done if they got grant funding and that is the same with the Library van. The cemetery position would be a floating position but would not only be at the cemetery but also be helping out in other areas. With Parks and Recreation, they came back and are looking to see about getting an intern to help them with their social media platform at a cost of about \$12,000, which is new to the budget but it is a tentative position, so if we don't like it as a tentative, we can always take it out. They have also asked for an increase of \$30,000 in their Cottage Schools project and another \$10,000 for the roads at the cemetery.

County Manager Barbee said I met with Carol at the Library and the van is grant funded but was dependent upon a match, so she requested that we just completely remove that for now. That would remove that position also. We also had questions on the Cooperative Extension and I think we can reduce that back because the Cooperative Extension position has been funded through the university, so that will pull some more retention back here in case we need to make

some modifications, depending on who gets employed under that position. Chairman Olsen said so we will no longer have to fund that position, is that what I am hearing? County Manager Barbee said, that is correct. I think we had one year where we had 2 positions and, this last year, we had one and the year before was one, so we will go back to that. Comptroller Wideman said and then I will put that extra one back into the General Fund.

Chairman Olsen said is Carol's position is there if we get the van and not there if we don't get the van? County Manager Barbee said, she asked, after meeting with her, that we just remove it completely from the budget this year. She will look at things and, if she determines it is possible next year, she will put that back.

Chairman Olsen asked if there was any public comment but there was none. This item was presented for discussion only and direction was provided to the Comptroller for preparation of the FY23 Budget.

New Business:

A- Consideration and possible action re: Cooperative Agreement with the City of Fallon for Election Services which provides the terms whereby Churchill County and the City of Fallon will hold joint elections cooperatively.

Recent changes in Nevada's election law require municipalities, like the City of Fallon, to hold elections for city offices at the same time as statewide primary and general elections. For the convenience of the voters, the City of Fallon and Churchill County have decided to hold joint elections. This practice is similar to what is being done in other Nevada jurisdictions and is approved by the Nevada Secretary of State. The Agreement provides the guidelines by which the joint elections will be conducted. The primary responsibility of conducting the election will be held by the County Clerk, with the City of Fallon assisting where possible and performing its own duties as may be required by law.

FISCAL IMPACT: Unknown.

EXPLANATION OF IMPACT: Given the fact this will be the first time holding a joint election, staff are not able to predict what the added cost will be to the county. There may be some minimal cost by adding city elections and ballot questions to the publications and ballots but this is simply unknown. There is a mechanism in the Agreement which allows the county to seek reimbursement from the city for costs that are above and beyond what the county would have paid without including the city.

FUNDING SOURCE: Elections Budget.

ACTION REQUESTED: Accept

Civil Deputy District Attorney made the presentation as outlined above. Linda Rothery said it will be smooth. We met with the City Clerk and his Chief Deputy yesterday and went over, basically, the first thing that will be happening. We gave them data on a thumb drive and will be emailing them. We will give them a lot to do, although, you know, we are working really well together.

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

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

Closed Session - Regular Meeting will Recess and then Reconvene After the Closed Session:

8:45 AM A- Closed Personnel Session Pursuant to NRS 288.220 re: Discussion of negotiations with the Churchill County Sheriff's Deputies Association (CCSDA), Deputies' and Sergeants' Units, and with Operating Engineers Local No. 3 (representing Dispatchers)

A closed session will be held to discuss the progress of negotiations with the Churchill County Sheriff's Deputies Association (CCSDA), Deputies' and Sergeants' Unit, and with Operating Engineers Local No. 3 (representing the Dispatchers). No action will be taken as this is for informational purposes only.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

Commissioner Justin Heath made a motion to recess the meeting pursuant to NRS 288.220 to go into closed session at 9:10 AM. Commissioner Greg Koenig seconded the motion, which passed unanimously.

The regular meeting reconvened at 9:47 AM.

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 January 2022 showing a balance of \$53,639,685.08 in the account.

Clerk/Treasurer Linda Rothery provides the Treasurer's Monthly Report for January 2022, which shows a balance of \$53,639,685.08 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: Transfer of funds to the Churchill County Road Department in the amount of \$250,000 for Fiscal Year 2022 for various road/bridge projects for the 2nd quarter

At the regular Regional Transportation Commission (RTC) meeting held on February 16, 2022, the RTC approved the following transfer, subject to available funding: transfer of funds to the Churchill County Road Department in the amount of \$250,000, with funding to be split 50/50 from Regional Transportation Fund 280 and Public Transit Fund 395.

The reimbursement is for shouldering various county roads from October 2021 through December 2021, in the amount of \$58,073.90; Lynnie Lane double chip seal, in the amount of \$24,483.69; Cardinal Drive double chip seal, in the amount of \$24,099.99; Alcorn Road double chip seal, in the amount of \$61,094.27; Old River Road double chip seal, in the amount of \$50,386.23; Strasdin Lane Cut & Patch, in the amount of \$15,108.22; and Lucas Road approach, in the amount of \$16,917.29.

Although the projects total \$250,163.59, the department is only requesting to transfer the encumbered amount of \$250,000, which was approved by the Regional Transportation Commission at the October 20, 2021 meeting.

FISCAL IMPACT: \$125,000 from Regional Transportation Fund 280-630-85300 and \$125,000 from Public Transit Fund 395-881-85300.

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: \$125,000 from Regional Transportation Fund 280-630-85300 and \$125,000 from Public Transit Fund 395-881-85300.

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 Consent Agenda as presented. Commissioner Gregory Koenig 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:

- Jim and I met with Mayor Roy in Fernley and had a tour of their water plant. Years ago, they got a loan to build the entire plant and infrastructure. They built for greater capacity than what they needed at the time and we may need to do the same in future years.

- I participated in the Budget Hearings.
- I attended the CEDA meeting. Sara is doing really well with her projects.
- Jim and I participated in the city/county meeting yesterday with the Mayor and Chief of Staff.

Commissioner Koenig had nothing to report.

Commissioner Heath reported on the following topic:

- I participated in the Lahontan and Stillwater Conservation meetings.

County Manager Barbee reported on the following topics:

- I have been busy with budget items.
- I have been watching the progress with the Rafter 3C project. They poured the 3rd of 4 parts on the arena. They will pour the last of that on Tuesday. The PRCA Board approved that pre-bucking bronc event before the Reno Rodeo. That is a huge accomplishment for our community.

Comptroller Wideman reported on the following topics:

- I heard back from my staff that the Deputies get an actual check for their incentives, even if they are set up for direct deposit.
- Our sales tax is down from last year but it was an unusual amount last year, so we are still higher than any other December. We are 3.74% higher than 2021.

Civil Deputy District Attorney Shawcroft had nothing to report.

Clerk/Treasurer Rothery reported on the following topics:

- Monday the 4th installment of taxes are due.
- Candidate filing starts next Monday and runs through March 18th.

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.

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

The quarterly jail inspection was conducted following the meeting and a separate report of that inspection was recorded.

Adjournment:

The meeting was adjourned at 9:52 AM.

Approved: 
H. Peter Olsen, Jr., Chairman

Approved: 
Greg Koenig, Vice-Chairman

Approved: 
Justin Heath, Commissioner

ATTEST:
Linda Rothery, Clerk/Treasurer


Renae Paholke, Deputy Clerk