

MINUTES OF THE BOARD OF CHURCHILL COUNTY COMMISSIONERS

155 N. Taylor St., Fallon, NV 89406

March 15, 2023

Call to Order:

The special meeting of the Board of County Commissioners was called to order at 3:00 PM on March 15, 2023.

PRESENT:

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

ABSENT:

Pledge of Allegiance:

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

Public Comment:

Verification of the Posting of the Agenda:

It was verified by Pamela D. Moore, Deputy Clerk to the Board, that the Revised Agenda for this meeting was posted on the 15th day of March, 2023, between the hours of 11:00 AM and 12:00 PM at all of the locations listed on the Agenda, in accordance with NRS 241.

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 Myles Getto seconded the motion, which carried by unanimous vote.**

Appointments:

A- Consideration and possible action re: Authorization for the County Manager to expend up to \$500,000 from the General Fund for the purposes authorized in NRS 354.6115 to mitigate potential flooding.

Churchill County has a Stabilization Fund, as authorized by NRS 364.6115, to respond to emergencies and natural disasters. This fund currently holds \$1.8 million dollars and may be accessed after the Declaration of an Emergency to pay for the following expenses:

(a) The repair or replacement of roads, streets, bridges, water control facilities, public buildings, public utilities, recreational facilities and parks owned by the local government and damaged by

the emergency or natural disaster;

(b) Any emergency measures undertaken to save lives, protect public health and safety or protect property within the jurisdiction of the local government;

(c) The removal of debris from publicly or privately owned land and waterways within the jurisdiction of the local government that was undertaken because of the emergency or natural disaster;

(d) Expenses incurred by the local government for any overtime worked by an employee of the local government because of the emergency or natural disaster or any other extraordinary expenses incurred by the local government because of the emergency or natural disaster; and

(e) The payment of any grant match the local government must provide to obtain a grant from a federal agency for an eligible project to repair damage caused by the emergency or natural disaster within the jurisdiction of the local government.

To properly respond to the current emergency circumstances, many emergency measures must be undertaken to ensure public health and safety. These measures must be undertaken swiftly to properly mitigate the risks of flooding and may have significant expenses associated therewith. These measures include purchases of equipment and materials, contracting for emergency services, payment of overtime, etc.

This action authorizes the county, through the County Manager, to take the necessary emergency measures, without separate board approval, up to \$500,000. The funds will be expended from the General Fund, and reimbursed through the stabilization fund depending on the amount ultimately expended. The County Manager will continue to provide updates to the board and track expenditures for review by the board and likely for reimbursement from federal funds. The response to this emergency may exceed the amount authorized herein, at which point additional requests will be brought before the board. This action does not preclude the county from making an emergency expenditure over the authorization and requesting secondary approval from the board.

FISCAL IMPACT: Up to \$500,000.00.

EXPLANATION OF IMPACT: Churchill County has a Stabilization Fund, as authorized by NRS 364.6115, to respond to emergencies and natural disasters. This fund currently holds \$1.8 million dollars and may be accessed after the Declaration of an Emergency.

FUNDING SOURCE: General Fund with reimbursement from the Stabilization Fund

ACTION REQUESTED: Accept

County Manager Jim Barbee said, in 2017, the weir cost around \$500,000 for that project alone. There were more projects, obviously, than that and there were more funds expended beyond that. The county created a documenting process and Joe and Sherry are heavily engaged ensuring that we follow that process, which then would put us in a position where, if FEMA made monies available for reimbursement, we could get reimbursed on some of those projects. Just to be clear, that is a long game. I came in 2018 and the flood was over and I think we got the final Wild Goose bridge replacement funding maybe less than one year ago. Part of bringing Caleb on is, he was representing that side of the operations for the state, so he is very familiar with this. Much of his staff is still there, so it puts us in a real advantageous place. This Contract

that we worked out with Caleb, for example, would be a part of this. We would be looking at another vehicle purchase that wasn't on the previous request. Those vehicles would have been put under this had we done this on the front side, again, following those procedures to get ourselves in a position to get reimbursement. I want to be clear, too, that for none of those pieces of equipment will all of that be reimbursed; those are all things that are in the proposed budget for 2024, so the idea is, we would be able to defer some of the costs in this, so it makes it a little more advantageous to do it now and there is a need for them. That is kind of the general set up with this. Talking with Joe, this morning, he felt this was a good way that we could do this and you know how hard it is to go through these processes and spend money in the government, so you will get updates every 2 weeks. We will put that in as part of the flood update to show you the contracts and expenditures that have been expended for your review, at that point.

Joseph Sanford, Civil Deputy District Attorney, said, on the legal end, we have a Stabilization Fund that is authorized by NRS 354.6115 and there are some very specific things that we can use that for but we can only use it after we have declared an emergency, which we have already done. Essentially, all those funds have to go towards flood mitigation. We can't use it towards salaries. Overtime, yes, salaries, no. The idea here is that, as you know, flood mitigation can be very expensive on a very quick basis. Decisions have to be made and money has to be expended on a relatively routine basis and trying to set that up to coincide with the County Commission meetings is, potentially, going to create more damage than is necessary. The idea here is, we are going to allow expenditures up to \$500,000. The money will come from the General Fund and then be reimbursed from the Stabilization Fund, depending on how much we end up spending with the idea being that you will maintain control of the spending because he is only authorized so much. I hope the \$500,000 covers the whole thing but that is very optimistic. In my discussions with Sherry last time, I think our total reimbursement from FEMA was over \$1M from the 2017 flood. If they only paid 75%, we must have spent significantly more than that already. That way, you will be updated from time to time as things go along. We may ask for more money as things go along but this will give us the flexibility to make contracts happen. The equipment authorized earlier would have fallen under this same plan. If something like that backhoe would have been necessary a week ago, to get something done, we would have already purchased it. County Manager Barbee said another example, so we are ahead of the curve, we will have a contract coming from Lumos where they are doing the grade and, basically, the planning and design to increase the requirements out at the Carson Pasture. We are trying to make everything we are already leaning forward on, this will basically pick up and then we will come back before too long. The state emergency has gotten the equipment lease stuff done from us but you won't see that but we will note it, as we move forward, as part of that partnership and then we may have some direct purchases in the next couple weeks that I will brief each one of you on as plans become more solid from the BOR direction.

Chairman Scharmann asked if there was any public comment. Frank Combes said my only comment would be, and I hope this is appropriate, you have probably looked at it already, but have you reviewed lessons learned from the past, in 2017, in your forecast of equipment, mitigation efforts for what probably will happen again? Chairman Scharmann said we have done more. I would just answer your question and say, yes, we have. We opened the weir a week ago to try to start emptying out Lahontan and I think that was a big move right there to try to start

moving water out into the desert so that, our main goal, our number one goal, is to try to keep people along the river dry and not flood any homes along the river and also to keep water out of Fallon. Those are two things that we worked on in 2017 and we succeeded and that is what our goal is right now.

Commissioner Myles Getto made a motion to authorize the County Manager to expend up to \$500,000 from the General Fund for the purposes authorized in NRS 354.6115 to mitigate potential flooding. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

Public Comment:

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

Adjournment:

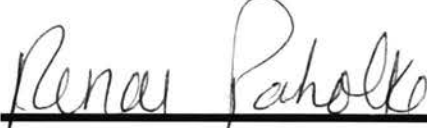
The meeting was adjourned at 3:12 PM

Approved: 
Harry "Bus" Scharmann, Chairman

Approved: 
Justin Heath, Vice-Chairman

Approved: 
Myles Getto, Commissioner

ATTEST:
Linda Rothery, Clerk/Treasurer


Renae Paholke, Deputy Clerk