

MINUTES OF THE BOARD OF CHURCHILL COUNTY COMMISSIONERS

155 N. Taylor St., Fallon, NV 89406

May 4, 2023

Call to Order:

The regular meeting of the Board of County Commissioners was called to order at 8:15 AM on May 4, 2023.

PRESENT:

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

ABSENT:

Pledge of Allegiance:

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

Public Comment:

Chair Scharmann asked if there was any public comment. Catherine Coval, Indian Education Family Liaison for Churchill County, said I represent all of the schools in the district except the high school. I have a couple of students who are unable to get to school because we currently do not have enough bus drivers. I have a student who lives on Kaiser Street who should be going to E.C. Best and is the 3rd grade. His mother could not walk him to school this year because of her infant child and their only vehicle takes her husband to work. That particular walk is over 2 miles in one direction. I have here a map where, in 2015, Churchill County participated with the state on a safe walk to school for statewide walking and bicycle paths. The city has been working on getting safe routes to school to work but they have not quite finished it. The county, which I also have a map of, has not completed its paths. On Saturday, I completed that route for what the child is doing. On Monday, I went on the path with the county so that it was going to be improved on and it has not. I have gone through all of what the county has listed on the state site. My question is when are they going to be working on this? This was all planned out in 2015 and, from my perusal, I have not seen any improvements done. I know that many improvements have been done on Williams and some streets have been worked on in the city but, as far as the county is concerned, I have not seen a lot of the improvements that they said they were going to be working on in 2015. I just wanted to bring that to the attention of the Commissioners. All of this information is on the state website under the county link.

Chairman Scharmann said I know we are not supposed to ask questions so Joe will probably throw something at me but isn't this the school district's responsibility? Catherine Coval said not this. This came up from the county. This is the county's response to the safe routes to school

initiative. Chairman Scharmann said but I mean getting this young child to school, isn't that the school district's responsibility? Catherine Coval said, right at this point, I don't know whose responsibility it is. I am going to the district and to the coalition and to what has been put out there. If we can get a safe route from the county and the city, we will work at getting that child to school. Currently, they don't have a safe route. The child does walk but we don't have a route.

Jordan Ernst, Churchill Community Coalition, said I am here to talk about the first annual mental health and wellness retreat and suicide education event this Saturday, May 6th from 10:00 AM to 10:00 PM at the Rafter 3C arena. I know you are going to love all the flyers that I provided to you. I made sure to bring plenty. This event is packed full of different classes. We have yoga, sound baths, journaling classes, and we have two wonderful speakers coming in who will be speaking on mental health awareness and suicide prevention. This event will close with a lantern release as a remembrance of those we have lost. Not only do we have classes every hour but we do have ongoing activities, as well. I come to you to ask you to spread the word about the coming event.

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 28th day of April, 2023, between the hours of 3:00 and 4:00 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 Myles Getto made a motion to Approve the Agenda as revised.
Commissioner Justin Heath seconded the motion, which carried by unanimous vote.**

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

A- April 6, 2023.

The Minutes of the meeting held on April 6, 2023 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 April 6, 2023 as presented. Commissioner Myles Getto seconded the motion, which carried by unanimous vote.

Appointments:

A- Consideration and possible action re: Adoption of a Proclamation recognizing May 2023 as the Nevada Wildfire Awareness Campaign with the theme of "Protect our Home, Prepare for Wildfire".

Wildfire can threaten Nevada's communities and impact homes, property and human life. The key to minimizing wildfire impacts in Nevada is proactive communities that take steps to

prepare. The Nevada Wildfire Awareness Campaign 2023 runs in May in efforts to increase awareness and preparedness for wildfire in the state of Nevada. The theme is: "Protect our Home, Prepare for Wildfire".

Residents must prepare to survive wildfire by ensuring proper management of vegetation surrounding homes and appropriate home construction and maintenance to resist ignition. Residents need to work together to prepare their homes and communities to survive wildfire and commit to become fire adapted. Residents can save precious time in an evacuation by preparing a go-bag and family evacuation plan ahead of time.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Adopt

Linda Brown made this presentation as outlined above.

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

Commissioner Myles Getto made a motion to adopt a Proclamation recognizing May 2023 as Nevada Wildfire Awareness Campaign in and for Churchill County. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

B- Consideration and possible action re: Declaring certain uncollected property taxes in an aggregate amount of \$5,954.64 as uncollectable and striking those taxes from the tax rolls.

Pursuant to NRS 361.725, the District Attorney is required to deliver to the County Auditor a statement of the delinquent taxes. The statement is required to be filed with the Clerk of the Board of County Commissioners. The County Commissioners are required to strike those taxes that cannot be collected. Provided is a spreadsheet detailing those taxes that have been deemed by the Churchill County Assessor and the Churchill County District Attorney as unable to be collected. The NOTES section of the spreadsheet indicates the reasons why the specific tax cannot be collected but, in most cases, the responsible party is out of business, bankrupt, without assets to seize, and/or unable to be contacted or located.

The total amount of taxes owed that will be removed from the rolls is \$5,954.64. All prior efforts to collect the taxes have been unsuccessful. Given the amounts owed by each individual, the cost of further collection efforts in staff time and the likelihood of collecting the money, it is recommended that the board strike the listed uncollected taxes. The cost associated with pursuing legal action for collection is not warranted.

FISCAL IMPACT: \$5,954.64.

EXPLANATION OF IMPACT: The fiscal impact of \$5,954.64 represents the amount of tax revenue that will be stricken from the rolls by this action. It is not anticipated that any efforts made by the Churchill County would be successful in collecting this amount of money were further collection efforts pursued.

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Civil Deputy District Attorney Jeff Weed made this presentation as outlined above.

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

Commissioner Justin Heath made a motion to strike the uncollected taxes from the tax roll as set forth by the 2023 Uncollectable Delinquent Amounts spreadsheet. Commissioner Myles Getto seconded the motion, which carried by unanimous vote.

C- Consideration and possible action re: A merger and resubdivision Parcel Map Application filed by the Fernley Business Park, LLC for property located adjacent to the county line and railroad tracks at 11000 Reno Highway, Assessor's Parcel Numbers 009-251-77 & 009-251-78, consisting of 163.78 acres in the Industrial Zoning District, whereby the Applicant proposes to merge the two existing lots and redivide the property into 4 parcels of varying size, including abandonment of a utility easement.

Site History: This industrial property and rail facility is at the county line near Hazen, historically known as the Darwin railroad siding. The property has a history that complicates the current situation. One issue is that land under the highway was shown in documentation as an easement only. Yet, current and past land division maps show the highway land as excluded from the property. This left the possibility that the highway land might be part of this property and the status of that land needed to be determined. Long ago, the property was given to a railroad. The State Highway Department acquired a road easement for the highway in 1949, which was strictly an easement. The railroad land company then sold the property to Nevada Land and Resources, excluding the railroad right-of-way.

Nevada Land and Resources later divided the property into portions (a) north of the railroad tracks, (b) between the railroad tracks and the highway, and (c) south of the highway. Portions (a) and (b) are the subject of this map. That map also separated a strip of land for the highway, probably inadvertently. The above 3 portions were later sold but the highway strip was not. This left the highway as its own parcel with uncertain ownership. NDOT insists that it owns an easement only and provided documentation. Since the highway parcel was not sold, it appears to still be owned by Nevada Land and Resources and is not part of the subject property.

Another issue is providing legal access to all parcels. Following the above land division, the parcel north of the tracks did not have legal access. Another land division was performed to extend a piece of that lot across the tracks so its access could be taken from the highway, meaning that the parcel was split by the tracks. That extended portion is where the current propane business was developed. In recent years, the properties were owned by the Western Nevada Rail Park until the 2021 sale to Fernley Business Park. A contingency of the sale provided that Fernley Business Park would give back the property north of the tracks when it could be divided to be on its own, which consequently required that the access issue had to be resolved. Over the last year, access rights were obtained from BLM. One objective of this map is to split off the northern area.

Proposal: The applicant is requesting a Merger and Resubdivision Parcel Map to merge the 2 large industrial properties totaling over 163 acres and then to divide the land into 4 lots. The

property northeast of the tracks (Parcel 4) will be separated on its own for the previous owner, as described above. The property southwest of the tracks will be split into three parcels (Parcels 1-3) for the Fernley Business Park. These three parcels will be oriented toward current and future rail service uses.

Included with this Application is the abandonment of a utility easement running through Parcels 1-3 that was established with the previous land division. Additional notes and certificate language are needed with the map to deal with the abandonment and it is discussed in more detail below.

An important issue for this map is addressing road problems. These include dealing with the uncertain naming and poor condition of the driveway road for Parcels 1-3, which requires repairing and upgrading the road to current county standards. Also addressing the marginal access provided for Parcel 4. The Parcel 4 road situation is complicated by the fact that Patua Road follows a fuel pipeline that lies within an easement crossing the northeast corner of Parcel 4. A road easement is placed on the pipeline easement with this map and that segment of road and easement will help serve any future development on this lot. These road issues are described in detail under the transportation criterion below.

A rare situation comes into play on this map due to the large area of wetlands, other native features, and stormwater flow paths that occupy part of parcel 4. These features are the consequence of the property being at the bottom of a drainage basin of approximately 8 square miles. These are discussed in more detail below.

A rail spur with multiple branches is currently found on the property in the vicinity of Parcels 1-3, being recently upgraded and extended through a Special Use Permit. Additional branches may be installed in the future, including extensions across the county line to other industrial land through additional Special Use Permits.

Recommended Conditions:

1. Any final changes required by the County Surveyor shall be made prior to recording.
 - a) Placing coordinates on required monuments.
 - b) Minor corrections to bearings and/or distances.
 - c) Clear use of symbology, such as arrows or leaders on distance measurements.
 - d) Clarifying labels for duplicate monuments.
2. 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) Clear identification of adjacent lands, including lands owned by the applicant but not part of the project.
 - c) 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.
 - d) Labels shall be added or modified identifying that the road infrastructure will be upgraded to paved county standards and offering it for dedication.

- e) A Road Name Application shall be submitted for the access road and the approved name placed on the map before recording.
 - f) The existing road shall be upgraded to a county standard paved road. A county standard paved road turn around shall be provided at the end of the road. Road drainage facilities shall be provided to the satisfaction of the Road Supervisor. Construction shall be completed or bonded before recording the map.
 - g) Two water dedication fees shall be submitted before recording the map.
 - h) Property lines near existing structures shall be adjusted as necessary to meet setback standards and the setbacks labeled.
 - i) Notes, labels, and certificate language shall be adjusted to the map to clearly indicate abandonment of the utility and video services easement.
 - j) A conservation easement for protection of native features and topsoil, waterways, and drainageways shall be delineated on Parcel 4 using the edge of the salt grass meadow, including the route where the waterway exits the property. Informational notes shall be added to the points where stormwater flows enter the site.
- 3. A study or report shall be prepared by a professional engineer identifying the construction standards used for the existing road, as well as the improvements needed to bring the road up to county standards.
 - 4. An informational note shall be added near the Patua Road access point that states that further division or extensive development of Parcel 4 will likely require meeting county road easement and construction standards and additional road permitting from BLM.
 - 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.
 - 6. The new road shall be signed at the county line or westward stating that the road is privately maintained.
 - 7. Any gated access may not be closed until provisions are provided to allow easy access to police, fire, and ambulance services to the satisfaction of those providers.
 - 8. Address applications to change the parcel addresses to the new road name shall be submitted before recording.

A copy of the Staff Report and an excerpt from the Planning Commission Minutes are provided for the Commissioners' review and decision.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Dean Patterson, Associate Planner, made this presentation as outlined above.

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

Commissioner Myles Getto made a motion to: (A) approve the Merger and Resubdivision Parcel Map Application for Fernley Business Park to merge APNs: 009-251-77 & 009-251-78 to divide the property into 4 parcels, subject to conditions as listed in the Staff Report.;

(B) to accept the offer to grant easements identified on the map; (C) to reject all offers to dedicate lands and improvements at this time; and (D) to approve a gated private access road, provided that this approval can be reversed at a later time. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

D- Consideration and possible action re: Appointment of Tara Price to the Library Board of Trustees to fill an unexpired term ending June 30, 2024.

The Churchill County Library Board is a governing board appointed by the Board of County Commissioners, authorized and directed to make recommendations and provide oversight and direction to the Churchill County Library per NRS 379. The Library Board is comprised of five (5) members, who serve four (4) year terms.

Bill Williams was appointed to the Library Board of Trustees in June 2017 and was reappointed in 2020 for a four-year term through June 30, 2024. Mr. Williams is no longer able to serve on the board and tendered his resignation effective April 1, 2023. The vacancy on the board was advertised and three (3) applications were received: Katherine 'Katie' Jones, Nicole Esposito, and Tara Price (see provided applications). The County Manager and Library Director have reviewed and interviewed all candidates. Recommendation is being made to appoint Tara Price to fill the unexpired term of Bill Williams, effective immediately through June 30, 2024.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Civil Deputy District Attorney Joseph Sanford made this presentation as outlined above.

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

Commissioner Justin Heath made a motion to appoint Tara Price to fill an unexpired term on the Library Board of Trustees through June 30, 2024. Commissioner Myles Getto seconded the motion, which carried by unanimous vote.

E- Consideration and possible action re: Appointment of Matthew Johnson to serve an unexpired term on the Park and Recreation Commission through June 30, 2026.

The Churchill County Park and Recreation Commission is a board appointed by the Board of County Commissioners, authorized and directed to make recommendations and advise the County Commission regarding matters relating to Churchill County park and recreation facilities and programs per NRS 2.48. The Park and Recreation Commission is comprised of seven (7) members, one of whom shall be a member of the Churchill County Board of County Commissioners and one of whom shall be a member of the Board of Trustees of the Churchill County School District, with the remaining five (5) members appointed by the Churchill County Board of Commissioners. The term of all commissioners shall be for four (4) years. Member Jeff Goings was serving a term through June 30, 2026, but vacated his seat early to serve on the Planning Commission. The position was advertised and two (2) applications were received from candidates Matthew Johnson and Samantha Gomes.

The County Manager and Facilities, Parks & Recreation Director interviewed both candidates, and discussed the current composition of the Park and Recreation Commission.

Recommendation is being made to appoint Matthew Johnson to serve the unexpired term through June 30, 2026, with consideration that the candidate has a clear understanding of the duties and responsibilities related to this position.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Civil Deputy District Attorney Joseph Sanford made this presentation as outlined above.

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

Commissioner Myles Getto made a motion to appoint Matthew Johnson to the Churchill County Park and Recreation Commission to fill an unexpired term through June 30, 2026. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

F- Consideration and possible action re: Approval of a Lease Agreement between Northern Nevada Research Company, LLC and Churchill County for 1.49 acre-feet annually of underground water owned by Churchill County.

On November 10, 2021, Northern Nevada Research Company, LLC (NNRC) was granted a Special Used Permit (SUP) from the Churchill County Planning Commission for their battery testing facility located at 7162 California Street (APN 009-251-84), Hazen, Nevada. As part of the conditions of the SUP, the Applicant was required to install employee/visitor restrooms, which require the installation of a water well. The Applicant has one year from the date of the approval to enact the conditions of the SUP and have been diligently working towards compliance. However, the Applicant has hit a roadblock with appropriation of water for the well. The Applicant is going through the water appropriations process with the State Water Engineer but their timeframe for processing applications is hindering the ability to drill the well. The Applicant would like to drill the well for the restroom facilities prior to the expiration of the SUP on November 10, 2023.

The county has 1.49 acre-feet of underground water (Permit 73635) that was moved from the well at CAPS to the Sand Creek municipal well in 2005. The county has yet to prove beneficial use of this water as it has not been appropriated to a specific project. By allowing NNRC to lease the water, they can fulfill their obligations to the SUP, allow the county to prove beneficial use, and generate a small amount of revenue.

FISCAL IMPACT: Revenue \$2,000 (\$4,000).

EXPLANATION OF IMPACT: A small amount of revenue will be generated.

FUNDING SOURCE:

ACTION REQUESTED: Accept

Public Works Director Chriss Spross made this presentation as outlined above.

Chris Mahannah said the State Water Engineer is behind in processing new applications for underground water in Basin 101. It is not technically a waiver. Back in the 1990s, the State Engineer issued Order 1116 that allowed very small appropriations, up to 4,000 gallons a day, which equates to 4.48 acre feet per annum for small commercial operations to allow economic development to continue. The facility does not need nearly that much water. It is more on the order of .75 to 1 acre foot. They would like to lease a water right that the county owns. It is not allocated to any specific project. I have been filing extensions of time for beneficial use of this water right for several years, so this is a win-win situation for both parties in that the water can be used temporarily. The intent is to file a temporary change application on this leased water right and pair that with a new application to appropriate. The reason for that is that temporary work can be approved relatively quickly. Hopefully, that will be by mid-June. We have already had Parsons Drilling out to locate the site to get a well drilled this summer. We have had four basin engineers in the last 4 years. There has been a high turnover rate, delays in processing, not only for groundwater but for surface water transfers. I spoke with the new engineer and he hopes to get caught up and process the new application within a year. If for some reason it doesn't get done within a year, there is an automatic renewal provision for up to 3 years.

Commissioner Heath said the water is already there so we won't have to pump anything in right, it is already below the basin? Chris Mahannah said correct. They would have to drill a well and it is a very small amount of water, literally a few gallons for restrooms for 30 employees.

Deputy DA Joe Sanford said we had an appraisal done for a property about 5 months ago, which included underground water rights and that was valued at \$6,400 an acre foot. The total value of the lease is approximately \$10,000 if you go out and buy it on the market, if you could find it. We are talking about 20% of the value of the water right per year being returned. In this particular case, because it is related to economic development, which was the purpose of this SUP, the county is authorized to proceed without going through an open bid.

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

Commissioner Justin Heath made a motion to approve a Lease Agreement between Northern Nevada Research Company, LLC and Churchill County for 1.49 acre-feet annually of underground water owned by Churchill County for the lease amount of \$2,000 per annum. Commissioner Myles Getto seconded the motion, which carried by unanimous vote.

G- Consideration and possible action re: Approval of a Performance Agreement between Idaho Asphalt Supply, Inc. and Churchill County that outlines a one-year period to complete the road improvements at 22297 Bango Road, Fallon, Nevada.

On March 3, 2023, this board approved a parcel map splitting Assessor's Parcel Number 007-071-82 into two individual parcels. As a part of this parcel map, the Applicant must construct roadway improvements to access both parcels and improve the intersection at Bango Road and the new road. Churchill County Code 16.12.030.3 allows for a developer wanting to record a parcel map to enter into a Performance Agreement and post a security instrument to ensure that the required improvements will be completed. The Applicant has requested to post a security bond with a completion period of 1 year so that the parcel map can be recorded. The security

bond will be in the amount of 110% (\$217,000) of the estimated cost of the roadway improvements, which were provided in the form of an estimate from a local contractor. Churchill County Code requires that the Board of County Commissioners agree to this one-year duration.

FISCAL IMPACT: None.

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Public Works Director Chris Spross made this presentation as outlined above. He said we have also asked for an additional inch of asphalt on that road because of the truck traffic and we asked for the intersection of this road and Bango Road to be reconstructed to also 4 inches due to the stopping of the trucks wanting to turn in.

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

Commissioner Myles Getto made a motion to approve the one-year completion period as outlined in the Performance Agreement for Idaho Asphalt Supply, Inc. to complete the construction of the roadway improvements for the parcel split located at 22297 Bango Road. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

H- Consideration and possible action re: Approval of a Conservation Easement Deed for a portion of property located on APN 006-231-70 and releasing a Conservation Easement for property located on APN 006-231-47 as requested by the Mills Dairy.

Churchill County entered into a 30-year Conservation Easement with Newell J. Mills and Bebe Ann Mills (Mills Dairy) in January of 2005 for property located on APN 006-231-47. This easement included 26.01 acres of land and 22.33 acre-feet of appurtenant water rights. This standard Conservation Easement ensured the future use of the property for agricultural purposes only and was part of a Cluster Development Agreement.

Mills Dairy is looking to expand its operations on the property to construct a full-sized modern dairy plant. While standard barns and corrals are allowed under the Conservation Easement, the contemplated structure exceeds the normal agricultural operations contemplated by the parties. Furthermore, the deed incorrectly encumbers 22.33 acre-feet of water rights instead of the correct 22.33 acres of water rights (78.15 acre-feet).

The parties have negotiated these issues and determined that the current Conservation Easement on APN 006-231-47 should be released and a substantially similar Conservation Easement be recorded against the adjoining property located at APN 006-231-70. This new Conservation Easement would run for the remainder of the thirty-year term and consists of approximately 32 acres with the corrected 22.33 acres of water rights.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Scott Jamison said I am representing the Mills family and the Mills Dairy. We have a Conservation Easement on a portion of property owned by the dairy where the Mills family desires to build a modern dairy barn. In an effort to make sure there was no conflict with the intent of the Conservation Easement, we have negotiated terms for replacing the current easement with a Conservation Easement adjacent to that property and continue the life of the initial easement.

Chief Civil Deputy District Attorney Joseph Sanford made this presentation as outlined above.

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

Commissioner Justin Heath made a motion to approve and direct the Chair to sign a Conservation Easement Deed for a portion of property located on APN 006-231-70 and releasing a substantially similar Conservation Easement Deed for property located on APN 006-231-47. Commissioner Myles Getto seconded the motion, which carried by unanimous vote.

Update on Potential for Flooding:

A- Consideration and possible action re: Update on the potential for flooding within Churchill County and actions needed for flood mitigation and emergency services.

Staff will provide an update on the potential for flooding and may request that the board direct action as appropriate to respond to the emergency. Actions may be related to flood mitigation efforts or use of County equipment and personnel to assist in emergency response.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED:

Civil Deputy District Attorney Joseph Sanford reported that we entered into a contract with Cheek Construction to complete the concrete work at the second weir. It is still proceeding on schedule for a mid-May opening, which will be very valuable in increasing our flow rates. If you have been following along with the lake level, it got down to as low as 74,000 acre feet but the last time I looked it had risen to just over 80,000. It had originally been projected that there would be 280,000 acre feet coming into the lake in May. We have had a little bit of a cold snap here, so that is not expected to occur, however, I don't believe that is good news. It could reduce the amount of time to get water out before we get all of the water in during the warmer period in June. Everything is still going according to plan. We will get more information on the projections today in our meetings later today. Chairman Scharmann said the goal really is that we are able to complete the second weir before the reservoir fills up. That is a simple minded way of putting it for me. I think we have a good opportunity to do that. They are working 24-7 on that doggone thing. They are really going at it. I think that they are a little ahead of schedule. It was supposed to be done by May 17th and I think it will be done just a little bit before that. When I asked Jim about that, he said I am not going anywhere on that one. I do think that we will be done by then.

Chair Scharmann asked if there was any public comment but there was none. This item was presented for informational purposes only and no action was taken.

Letters Received:

A- Bureau of Land Management's notification of its issuance of the Decision and Final Environmental Assessment (EA) for the Roberts Mountain Complex Wild Horse Gather.

The Bureau of Land Management provides notification of its issuance of the Decision and Final Environmental Assessment (EA) for the Roberts Mountain Complex Wild Horse Gather. The 10-year Wild Horse Gather and Population Management Plan will occur in the Roberts Mountain Complex in Eureka County. The Decision is to gather and remove excess wild horses from within and outside the Roberts Mountain, Whistler Mountain, and the northern portion of the Fish Creek Herd Management Areas to achieve an Appropriate Management Level (AML) range of 110-184 wild horses and implement a range of fertility controls to maintain the population within AML over a period of up to 10 years. The EA, Finding of No Significant Impact, and Decision Record can be found on this webpage:

<https://eplanning.blm.gov/eplanning-ui/project/2020326/570>.

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 its issuance of the Decision Record and Environmental Assessment (EA) for the Stone Cabin Complex and Saulsbury Herd Management Areas Wild Horse Gather.

The Bureau of Land Management provides notification of its issuance of the Decision Record and Environmental Assessment (EA) for the Stone Cabin Complex and Saulsbury Herd Management Areas (HMA) Wild Horse Gather. The proposed gather area includes the Stone Cabin HMA, the Salusbury HMA, and areas outside of HMA boundaries in the Ralston, Hunts Canyon, and Monitor grazing allotments. The BLM proposes to gather and remove excess wild horses from within and outside the Stone Cabin Complex. The BLM Battle Mountain District has determined that excess wild horses are present on public lands within and outside the boundaries of the complex and that removal of these wild horses to within Appropriate Management Level (AML) is necessary to achieve a thriving natural ecological balance.

The AML for the Stone Cabin HMA and a portion of the Saulsbury HMA were established through a Consent Decision signed by Administrative Law Judge David Torbet on May 11, 1992, through the Department of Interior Office of Hearings and Appeals, Hearings Division. The Consent Decision established an AML for the Stone Cabin Allotment (and HMA) of 364 wild horses and the Ralston Allotment portion of the Saulsbury HMA at 10 wild horses. The AML for the portion of the Saulsbury HMA in the Hunts Canyon Allotment was established as 30 wild horses through a Final Multiple Use Decision (FMUD) in 1996. The FMUD was issued following an interdisciplinary analysis of monitoring data, the completion of an Allotment Evaluation for the allotment, and the involvement of interested public.

The BLM has prepared an Environmental Assessment (EA), which analyzes the potential environmental impacts associated with the proposal to implement a 10-year wild horse gather plan to promptly remove excess wild horses to bring the population back to low AML in a single initial gather or, if needed, after a follow-up gather(s) and to implement gathers to apply population control measures to reduce the rate of population growth. The current estimated number of excess wild horses is approximately 689 but this number could be greater if this estimate is an undercount and/or if the population further increases due to annual foaling. The EA is consistent with the BLM's management responsibilities under the Wild Free-Roaming Horses and Burros Act of 1971, as amended (Public Law 92-195).

The final EA and Gather Plan for the Stone Cabin Complex is available at:

<https://eplanning.blm.gov/eplanning-ui/project/2021968/510>.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

C- Bureau of Land Management's notification of the issuance of a Full Force and Effect Decision Record and Determination of NEPA Adequacy for the Sonoma Pumpnickel Fuel Reduction Project for areas previously impacted by wildland fire.

The Bureau of Land Management provides notification of the issuance of a Full Force and Effect Decision Record and Determination of NEPA Adequacy for the Sonoma Pumpnickel Fuel Reduction Project for areas previously impacted by wildland fire. The project is a combination of fuels reduction, habitat protection, and restoration treatments for these areas. The purpose is to reduce annual invasive grass cover and to restore degraded rangelands within Greater sage-grouse Priority Habitat Management Area, General Habitat Management Area, and Other Habitat Management Area. Treatments will be prioritized in areas prone to wildlife ignition to promote landscape resistance and resilience, while reducing wildfire susceptibility.

The Decision Record and Determination of NEPA Adequacy can be viewed online at: <https://eplanning.blm.gov> and entering DOI-BLM-NV-W010-2023-002-DNA in the NEPA# advanced search field.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

D- Nevada Division of Environmental Protection's notification that it has reviewed the Workplan for Soil Boring for Omaha Track Railroad Tie Yard in Hazen, Nevada.

The Nevada Division of Environmental Protection (NDEP) has reviewed the Workplan for Soil Boring Investigation (Workplan) dated April 11, 2023 and prepared by Caitlin Jelle, CEM of McGinley and Associates, Inc on behalf of Omaha Track. The Workplan proposes a scope of work to assess possible impacts to subsurface soil and groundwater at the above-described facility (Site) resulting from the long term storage of creosote-treated railroad ties and a fire that occurred in September 2022.

The proposed scope of work includes advancement of up to six soil borings across the Site for soil and groundwater sampling. Soil borings will be advanced to first encountered groundwater, anticipated at approximately 10 feet below ground surface. Soil samples for laboratory analysis will be collected at the capillary fringe of each boring and at select depths based on field indications of petroleum impacts. A grab groundwater sample will be collected from each boring using a temporary PVC screen.

McGinley anticipates that field activities will be completed within 30 days of NDEP's concurrence with the Workplan and a report of findings will be submitted within 45 days of completion of field activities. The NDEP concurs with the general scope of work and schedule presented in the Workplan. The NDEP has the following comments to the Workplan:

- Soil samples should be collected at a sampling density sufficient to vertically characterize the impacts previously detected in surficial soil samples, even if there are no obvious field indications of petroleum contamination (i.e., samples should not only be collected from the capillary fringe).
- The six boring locations proposed in the Workplan provide sufficient coverage in the central and northern portions of the Site and are likely based on areas of fire impact and an assumed groundwater flow to the northeast. However, this groundwater flow direction has not been confirmed by groundwater elevation data. Therefore, the NDEP requests that a boring location be added in the southeastern portion of the Site to assess for potential south/southeasterly migration of contaminants towards the Hazen Ditch.

Due to the straightforward nature of these comments, the NDEP does not require submission of an addendum or revised report; written confirmation of receipt and understanding of the comments will suffice. Omaha Track may proceed with implementation of the Workplan with the above comments incorporated. NDEP requests that 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. If you have any questions or need further assistance , please contact 775-687-9383 or rwood@ndep.nv.gov.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

E- Letter from Chris and Jessica Thomas requesting an exception to the requirement for them to connect their future home to the existing county sewer line.

On September 1, 2022, Chris and Jessica Thomas were granted a one year extension to file a Parcel Map for property located at 1320 Moody Lane, APN: 008-292-31. Since that time, Mr. & Mrs. Thomas have determined that the placement of their new home would be approximately 300 feet from the county's sewer line and approximately five feet lower than the road, causing concern for them in regards to flow and odor. They state that their neighbors, who have connected to the sewer, have been having issues, causing health problems and odor that flows

towards the Thomas property. Their main concern is the distance they would have to go to reach the sewer line, which may cause it to not flow properly. Therefore, Mr. & Mrs. Thomas have requested permission to install a septic tank for their new home instead of connecting to the county's sewer line.

Churchill County Code 13.05.050 states: Relief on application. After consideration by the county as provided in section 13.05.190 of this chapter, if any person, by reason of special circumstances, is of the opinion that any provision of this chapter is unjust or inequitable as applied to his premises, he may make written application to the board stating the special circumstances, citing the provision complained of, and requesting suspension or modification of that provision as applied to his premises.

If such application be approved, the board may, by resolution, suspend or modify the provision complained of, as applied to such premises, to be effective as of the date of the application and continuing during the period of the special circumstances.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

Chris Spross, Public Works Director, said unlike Title 16, which is land uses, Title 13, which is water and wastewater, does not have a mechanism for a variance should someone desire to do something that is not within the confines of our code. It allows someone who wants to do something that is outside of our code to write a letter directly to the Commissioners stating their case and say here is why I should not have to do this. The letter from Chris Thomas says they do not want to connect their future house, which is on the northeast corner of the Rice & Moody intersection, into the sewer that runs along Moody Lane. Our code states that if a house is within 400 feet from the county's sewer line adjacent to the property line, then they have to hook into the sewer system. Four hundred feet is a long distance but we have a lot of property that is not your standard city 5,000 square foot lot, so we had to make it a considerable distance. There are several reasons he is asking for this. The first one is their house is going to be more than 400 feet away. The property actually abuts Moody Lane, so the house can be placed anywhere on the property. It could be moved closer. The property across Moody Lane from them was hooked into the sewer less than a year ago. That was kind of a contentious decision. There was a letter written from the Planning Department years ago that said they didn't have to. We wanted them to so the county ended up paying for a portion of that hookup. That person has complained of the sewer odor coming out of the vents of his home and it is a substantial odor and the reason is that it is the only house on our sewer system north of Onde Verde. There is no other house on that so there is no other way for those gases to be vented other than through his vents. We have replaced some manhole lids with vents to allow for some of the gases to escape and there is also an extreme build up in the manholes, so our utility operator is going to be removing that and flushing that debris down through our system and we are sure that the buildup has also created some of that smell. We have also put together a more rigorous manhole flushing program. We are working towards reducing that odor. By adding a second house, that would add more vents, which would allow more gases to escape from that house. It is actually a benefit to put another

home on that system. The statement has also been made that, with the house being as far away as it is, there is a concern that there will not be enough fall from their home to where the sewer line is. The sewer line in that area is about 11 feet deep. By moving the house a little closer to within that 400 feet, you could reduce the amount of fall that you would need. I am just telling you the county's position. You read the letter and I am here to see if the county has an appetite to put this in front of you as an Agenda item and a decision could be made on whether or not this property has to be hooked into the system or not.

Chairman Scharmann said, so right now, where we are at, they would rather use a septic tank and drill their own well? Director Spross said that is correct. As far as the well goes, right now, there is no water line that runs north on Moody Lane so they would have to drill a well anyway. The only infrastructure that we have there is the sewer and they would be required to hook into that. However, there are plans for a water line to extend along Rice and go up to Moody Lane for the potential Sky Ranch and Mr. Thomas was made aware when he made this parcel split a couple years ago that, if his house has not started construction prior to that water line being installed, he would then also have to hook into the water line, as well. Construction is slated to start in November should it pass all of the design criteria so, if it has not started construction by then, there is a chance we would also require him to hook into the water system. Chairman Scharmann said is the sewer line going to go along that route also? Director Spross said the sewer line is there now. It is the sewer main that runs down Rice Road and goes up to the Moody Lane Lift Station and then up to the treatment plant. It is a large size pipe, as you can imagine, because it is the last in the line so it is an 18-inch line. When the sewer line was connected at their neighbor across the street, we got assurance from our engineer that it would not be an issue to tie a lateral into a larger pipe. They are on the east side of Moody Lane and their property is directly north of where the canal is. It is in the northeast corner of the intersection. Commissioner Getto said is this the one on the intersection of Rice that we did a couple years back? That L shaped lot. Director Spross said this is correct. Commissioner Getto said didn't we discuss during that meeting them having to hook up to the sewer? Director Spross said yes, we did. As a matter of fact, when it was determined that the person across the street had to hook into the sewer, we reached out to Mr. Thomas and said this would be a good time for you to at least bring in the sewer because the asphalt will be cut. There may be some cost savings, so you won't have to come in after the fact and pay to have the asphalt replaced. He was aware of the fact that he was going to have to hook in. It was discussed at the Planning Commission meeting and during the investigation for the item for the Planning Commission.

Commissioner Heath said but, by adding a second house, there is no guarantee that there will be no smell? Director Spross said there is no guarantee. We did know that it was going to happen on the first house. Commissioner Heath said once we add that other subdivision, that will smell will go away you think? Director Spross said you have gas releases at the lift station, as well, and the lift station is before the Sky Ranch and before, so it is really just the line that is coming from the golf course and runs past the lift station. It is a considerable length of line. It is probably close to $\frac{3}{4}$ of a mile. It goes all the way down Rice and goes all the way up to the Moody Lift Station and he is tied into that line. It is that area there where the gases need to be released. Chairman Scharmann said I think it would be alright to put it on the Agenda. Commissioner Heath said what else can we do to get rid of that gas? Director Spross said the

engineer has listed several things we can do. I am going to start with the one that will have the least impact to our infrastructure. The first thing we did is replace some lids. We can always replace more of them if we see that is working. Unfortunately, we are in a flood situation and have to seal up all the manholes, so I am probably going to have to pull those lids in the interim and put the old ones back on. There are carbon filters that you can put on top of the vents on your house, which is a cost effective way to do it but carbon filters have a life span, so every year you would have to change them. They take out the gas generated by the sewer. There are odor reducing chemicals that you can put in your system that would knock down some of the odor. There are things that can be done and I would bring the list of things if this does end up on the Agenda. Commissioner Heath said it may be cheaper on us to not hook them up right now. Director Spross said, yes, but the whole idea of having our treatment plant is to be able to use it. Right now, we are only using about 12.5% of our plant. It would be cheaper. He would have to pay for his septic tank but our code reads that they have to hook up and, ultimately, it is your decision which way you want to go. I have to abide by the code the way it is written and I have to enforce that and if you guys want to change that, I think that would warrant an Agenda item. Chairman Scharmann said when we did work over here off of Casey Road, we changed, this was a few years ago, we changed the septic tanks and had them hook up to our lines? Director Spross said that was in the Casey Road Mobile Home Park. Chairman Scharmann said no, that was houses, this was before you came, and there was one person who said they wanted to keep their septic tank and I went and visited with him and I told him that we were doing it at our cost and that this would eliminate him having to empty his septic tank and all this kind of stuff and all of his neighbors were buying in on it. Would this be done at our cost? Director Spross said no, it would not. This requires the owner to pay to hook into our system. If he wants to build his house 400 feet away from the property then he is going to have to run that sewer line 400 feet and, potentially, a water line 400 feet. It is a considerable expense, there is no question, however, as mentioned, this is an L shaped lot, so his property abuts Moody Lane. I don't want to tell somebody where they have to put their house but they could move it closer if cost was an issue with regards to paying to put in a sewer lateral. Chairman Scharmann said it is okay with all of us to put it on the Agenda. Director Spross said I will let them know and we will get it scheduled.

F- Bureau of Land Management's public scoping period in preparation of an Environmental Assessment (EA) for the proposed Reno to Las Vegas Fiber Optic Project.

The Bureau of Land Management, Carson City District Office, is initiating external scoping and is seeking public input in preparation of an Environmental Assessment (EA) for the proposed Reno to Las Vegas Fiber Optic Project as requested in right-of-way (ROW) Application (N-100968) submitted by Vero Fiber Networks. The BLM is requesting public input under the National Environmental Policy Act (NEPA) and Section 106 of the National Historic Preservation Act (NHPA) for the project.

The proposed action associated with this right-of-way includes the construction activities and operations associated with the development of an approximately 450-mile-long buried fiber optic line spanning from Reno to Las Vegas. The proposed project includes the construction of the fiber optic line by plowing, trenching, or boring techniques and the construction of nine inline amplifier buildings. Within the proposed ROW, approximately 58 acres of disturbance would occur. This proposed buried fiber optic line would cross through Washoe, Lyon, Storey,

Churchill, Mineral, Nye, Esmeralda, and Clark Counties in Nevada. The proposed project would be located within existing rights-of-way that predominantly follow U.S. Highways 50 and 95; Nevada State Highways 160, 839, and 439; and county-maintained roads from Reno to Las Vegas. A general project overview map is attached and is available online, along with more detailed maps at: <https://eplanning.blm.gov/eplanning-ui/project/2024041/510....>

Public participation is encouraged and comments will be accepted until May 2, 2023.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

G- Nevada Division of Environmental Protection's notification of its No Further Action Determination for the former Smedley's Chevron and Golden Gate Petroleum facility located at 1755 W. Williams Avenue, Fallon, Nevada.

The Nevada Division of Environmental Protection (NDEP) provides notification of its No Further Action Determination for the former Smedley's Chevron and Golden Gate Petroleum facility located at 1755 W. Williams Avenue, Fallon, Nevada after reviewing the closure request documents in the May 19, 2022 Groundwater Monitoring Report, First Quarter 2022, the December 1, 2022 Groundwater Exemption Closure presentation, and accompanying well log abandonment reports. This letter provides a No Further Action Determination for releases due to leaking former underground dispenser containment at the facility and applies to other places contaminants related to this release have come to be located [NAC 445A.3452].

Based on this review, benzene remains above action levels in groundwater. However, based on current land and groundwater uses, NDEP has determined that no further assessment or remediation is required to be protective of human health and the environment [NAC 445A.22725(2)].

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: Update on the 2023 Nevada Legislature and directing staff to provide letters and/or testimony in support and opposition to any bills affecting Churchill County.

The 82nd Session of the Nevada Legislature started in early February of 2023. There are over 400 bills proposed for this session of the Legislature already, with new bills arriving every day. County staff have reviewed many of the proposed bills and have identified many that are of interest to the county. These bills are identified in the attached Legislative spreadsheet.

While elected officials are entitled to support and oppose bills on their own initiative, regular county departments require approval by the Board of County Commissioners prior to representing a position before the Legislature.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Chairman Scharmann said my question is, are there areas that we need to really, that we, as a County Commission, need to write letters for or vouch for or against? Chief Civil Deputy DA Joseph Sanford said we have not had too much of that because the stuff that we were opposed to has been amended in our favor and the stuff we are in favor of seems to be on track. SB 432 was a bill at the request of Washoe County designed to have property taxes for the large industrial park for when their abatements ran out, instead of all the taxes going to Storey County, which is what would be expected. The interest was to have a portion of that money go to Storey County and some to Washoe County to address the impact that commuting folks would have who lived in Washoe County but worked in Storey County. This bill did die. It was something that we were watching because it would have significant impacts if that were to become the practice. Churchill County attempts to bring businesses here hoping to grow. I know we would be remiss if this happened here. It was introduced fairly late in the session, so it showed up about a week before it had to go the committee and then it died in committee. It didn't have a lot of discussion but it was something we were watching. It ended up in a different bill having a committee where they are going to study the impacts for the next session. I think is highly likely. SB 391, regarding the siren that goes off at noon, in other counties it has a fairly storied history related to racial discrimination, not here, but in other counties it did, so there was a bill to prohibit those from going off except for emergency purposes. We use it for emergency testing, this bill would allow it to go off only every 6 months for testing. I thought we should be aware of that. If you want to have opposition to that we can do that but, presently, that is likely to pass. Commissioner Heath said yes, put in opposition because that is a signal to call our volunteer fire department and it lets people know that there is something happening. Chief Civil Deputy DA Joseph Sanford said the actual use piece could be done but the testing that goes off at noon could not. If you would like an opposition, I would be happy to move forward on that. Chairman Scharmann said I am opposed to that. I was talking to the Mayor about that the other day. Commissioner Heath said I think it would start with that but then it would spread out almost eliminating it. Chief Civil Deputy DA Joseph Sanford said that has been the push. The push has been to eliminate these altogether, not related at all to the emergency function that they serve. It is entirely related to slavery related things back in the early days. Chairman Scharmann said when it goes off at noon, we know it is noon. Chief Civil Deputy DA Joseph Sanford said we know it is noon and, in this case, we know it is heavily used for our fire department, which is different here because it is volunteer not professional that is manned all the time. Regarding SB 118, no action is needed. That is our bill for the health district and it passed through the committee in the Senate, so it will be going to the floor for a vote and is expected to pass. AB 297 was a bill we supported for the pre-trial release hearings not having to occur on the weekends, that died in committee, so we will expect to have to pay that cost. It did not receive any discussion. It had no chance. I think that should let us all know that expectations for that to get fixed are very low. SB 51, which is the county elected official's salary bill, also died. That was a bill that NACO had taken up for all of the counties. Originally, it was a Nye County Commissioners salary bill but all of the elected officials have had their salaries frozen since

2015. Nothing is going to happen this session to fix that, which continues to be a problem because, when it comes up again, the amount of money that is going to be needed to address having no raises for 6-7 years. Chairman Scharmann interrupted and said isn't that an issue that should be addressed by each county? Chief Civil Deputy DA Joseph Sanford said the request from NACO and the bill language and the amendment that occurred was there would be an update to the present day to the Legislature and then it would be pegged to the state employees increases, which there is an exact same bill for the judges right now and is worded the same way and that has not passed yet either but is currently out there. The word on the street was related to County Commissioners and their salaries. It continues to be a problem. NACO is going to try and work up something that will likely pass the next session but we can expect that this will make it harder to get a fair raise in the future because every time they delay it 2 more years, the jump will go higher. The jump was proposed to be 15%, which was already a reduction from the 25% that it was penciled out to be. In another 2 years, it could be 30%. Who knows if they would be willing to do that.

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

Commissioner Myles Getto made a motion to authorize the County Manager to provide or to direct testimony or a letter in opposition to SB 391. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

B- Report from the Churchill County Clerk/Treasurer of the results from the 2023 Delinquent Tax Sale and the proceeds derived therefrom.

On March 2, 2023, the Board of County Commissioners adopted Resolution 3-2023 authorizing the Clerk/Treasurer to sell properties held in trust for delinquent tax payments. The tax sale was conducted on April 13 and 14, 2023. There were three properties that were sold for an actual sales price of \$50,610.00, resulting in \$44,946.45 excess proceeds. Linda Rothery presents this report to the board of the results of said auction.

FISCAL IMPACT: \$44,946.45.

EXPLANATION OF IMPACT: The excess proceeds are held for one year. After one year, if no claims have been submitted, the county will receive a total of \$44,946.45.

FUNDING SOURCE: General Fund.

ACTION REQUESTED: None; Informational Only

Clerk/Treasurer Linda Rothery made this presentation as outlined above.

Chair Scharmann asked if there was any public comment but there was none. This item was presented for informational purposes only and no action was taken.

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: Sheriff's Civil Report for March 2023 showing a total of \$37,490.00 in revenue for the month.

Sheriff Richard Hickox provides his Civil Report for the month of March 2023 showing a total of \$37,490.00 collected as revenue for the month. This report is provided for the board's consideration and acceptance.

FISCAL IMPACT: \$37,490.00.

EXPLANATION OF IMPACT: Fees collected help to off-set the costs for providing the services.

FUNDING SOURCE: General Fund.

ACTION REQUESTED: Accept

C- Consideration and possible action re: Treasurer's Report for March 2023 showing a balance of \$71,553,891.95 in the account.

Clerk/Treasurer Linda Rothery provides the Treasurer's Monthly Report for March 2023 showing a balance of \$71,553,891.95 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

D- Consideration and possible action re: Approval of the Transportation Agreement to lease buses from the Churchill County School District (CCSD) for the 2023 SUMFUN Program.

The Parks and Recreation Department is requesting permission to renew the bus Lease for buses with the Churchill County School District to be used for transporting campers to designated field trips for the 2023 SUMFUN Program. The term of the Lease Agreement will be for three months from June 1, 2023 - August 10, 2023.

This year, the program will run for eleven weeks, with an approximate increase of \$320. Additionally, it may require leasing two buses, as one bus will only accommodate approximately seventy participants. With the popularity of the program and the addition of the new building at the Cottage Schools, it is anticipated that there may be more demand. The department has requested two buses but they will have a better idea after registration opens to the public in May. They will then make a determination if two buses are needed.

FISCAL IMPACT: The fiscal impact will increase because the program will run for 11 weeks and participation is expected to increase, resulting in the need for two buses to accommodate participants. Fees to participate are based on the \$2.50 per mile.

EXPLANATION OF IMPACT: \$2.50 per mile. Fees for the SUMFUN Program are based on the listed lease terms of \$2.50 per mile. If two buses are needed, there will be increased costs. Additionally, running for 11 weeks will result in an increase of \$320.

FUNDING SOURCE: Recreation Budget - 303-5717 - Cost Built into program fees required of participants.

ACTION REQUESTED: Accept

E- Consideration and possible action re: Churchill County's Quarterly Report to the Department of Taxation regarding Churchill County's Economic Condition for the quarter ending March 31, 2023.

Provided for the board's review and consideration is the Quarterly Report of Churchill County's economic condition for the period ending March 31, 2023, which is prepared in accordance with the Nevada Administrative Code (NAC). This report must be submitted to the Department of Taxation within 45 days of completion of the prior quarter. A signed copy will be forwarded to the department in a timely manner and this is provided for the board's review.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

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

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

Consider Future Agenda Items:

Chris & Jessica Thomas item as discussed.

Commissioner and Management Staff Reports:

Chair Scharmann reported on the following topics:

- I coordinated the JustServe volunteer event for sandbagging at homes on April 22nd, which was inspirational to see 130 students volunteer.
- I attended the NACO Board meeting.
- I attended breakfast with the Mayor and Bob Erickson.
- I attended the CWSD meeting in Carson City.
- I attended the Library Board meeting and met the new Director.
- I attended the briefing for the floods.
- I attended breakfast with Ernie Schank and Ed James about flooding.
- I wanted to mention that it is really good to have representation from the Sheriff's Office here. There was a time when we didn't have that. We, as County Commissioners, took other precautions but I won't go into that. I am really glad to see you here. I really appreciate that.

Commissioner Heath reported on the following topics:

- I attended the CART Board meeting.

Commissioner Getto reported on the following topics:

- I attended the Cemetery Board meeting.
- I attended the Churchill County Junior Livestock Show and Sale.

County Manager Barbee was not present.

Comptroller Wideman reported on the following topics:

- I sent out the February sales tax last week and it was 1.6% higher than last year for the same period.

Sheriff Hickox was not present.

Clerk/Treasurer Rothery reported on the following topics:

- My Office is obviously busy.
- We are still working on our delinquent tax process. Publication is next.
- We just started working on our voter registration conversion. It will take a while. It is a new statewide system.
- We finished up our marriage license conversion and went live last week.

Chief Civil Deputy DA Joseph Sanford reported on the following topics:

- I attended the Churchill County Junior Livestock Show and Sale.

Deputy Clerk to the Board Moore reported to the board that another appeal was filed by Leslie Beach concerning the Planning Commission's denial of a variance for rear setback requirements because she failed to appear at the hearing. This matter has been scheduled for hearing during the regular meeting on May 17th.

District Attorney Art Mallory reported on the following topics:

- We have kind of shifted our workload in our office. There are some matters that are quasi civil and criminal, such as JPO, and we have shifted those totally over to the criminal side and some other matters dealing with our children that we were able to shift over also. Our civil attorneys can devote full time, especially now with the flood and legislative matters, to what the county administrative areas might need. Hopefully, that will help all of us be more efficient. Our criminal people are doing a very good job

taking over.

Claims and Payroll Transmittals:

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

Public Comment:

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

Adjournment:

The meeting was adjourned at 9:38 AM.

Approved:


Harry "Bus" Scharmann, Chairman

Approved:


Justin Heath, Vice-Chairman

Approved:


Myles Getto, Commissioner

ATTEST:

Linda Rothery, Clerk/Treasurer


Renae Paholke, Deputy Clerk