

MINUTES OF THE BOARD OF CHURCHILL COUNTY COMMISSIONERS

155 N. Taylor St., Fallon, NV 89406

June 1, 2023

Call to Order:

The regular meeting of the Board of County Commissioners was called to order at 8:15 AM on June 1, 2023.

PRESENT:

Commissioner Harry Scharmann
Commissioner Justin Heath
Commissioner Myles Getto
Comptroller Sherry Wideman
Deputy District Attorney Joseph Sanford
Deputy Clerk to the Board Pamela D. Moore

ABSENT:

Clerk/Treasurer Linda Rothery
County Manager Jim R. Barbee

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. Sue Segura, from the Churchill County School District, said we know, through research, that the high school should be the hub of the community. After COVID, I am going to tell you right now, it kicked our butts, you guys. The kids need to feel the connection. Our community needs to feel the connection. We are sponsoring, with you guys, if you will see that at the bottom, a back-to-school kickoff night at the Rafter 3C. Here is my vision of that. We have 45 booths. All the colleges and trade schools, local businesses, and school programs will be outlined. At 6:00 PM, people will come in and be met at the door by the grandparent brigade. We need to start tapping our grandparents. I have never asked one person in the community to help that said no, but who would say no to me, right? That night, our objective is to promote career exploration, fostering community bonds and showcasing what our high school has to offer. We need to involve not only our students but our parents and grandparents. I have reached out to a lot of businesses and currently, I have 28 business partnerships where we have interns working all summer. We are going to promote a design and marketing plan and this is just a rough draft that they sent me last night that Ms. Richie is working on. It is going to be a volunteer opportunity for everyone. We have to set up and clean up. At the end of this, I will give you a quiz and ask you if you would help us. Also, we are going to gather feedback from the participants as to what we can do to build that future. We will start with the band, the ROTC, and everybody that plays a sport will be in their jerseys on the ground floor. Mr. Spencer will welcome everybody and then say you can go to the booths first or you can eat first. Our food has been donated by one of our great sponsors, New Millennium. Our Fire Department will have their barbeques there with a fire truck. We are going to have the welding, automotive, science, and art departments displaying everything we do at the

high school. I think it is going to be a great event. I am asking the Commissioners and the City Council to help us cook that night. We are going to do burgers and hotdogs, chips, and water. If you decide to help cook, County Manager Barbee is going to be the head dude in charge of that. I can tell you that he is on two of my committees and I am glad he is not here so I can brag about him. We are so fortunate to have him. He knows the direction we need to go. The partnership with the county and the high school is strong. Justin, are you into cooking that night? Commissioner Heath said we will see. I also have one of the kids. Sue Segura said what grade are they? Commissioner Heath said a senior. Sue Segura said they need to see me because I have not written a career path yet. We are expecting 1,000 people. If we don't have that many, I have not done my job and you guys have to be our cheerleaders. There were no further comments.

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 25th day of May, 2023, between the hours of 9:00 and 11:00 AM at all of the locations listed on the Agenda, in accordance with NRS 241.

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

Chairman Scharmann noted that Item 8 related to the Closed Session has been withdrawn and, therefore, the Agenda was 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- May 4, 2023.

The Minutes of the meeting held on May 4, 2023 are presented 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 May 4, 2023 as presented. Commissioner Myles Getto seconded the motion, which carried by unanimous vote.

Appointments:

A- Consideration and possible action re: A Parcel Map Application filed by Trevor de Braga for property located at 11050 Fitz Lane, Assessor's Parcel Number 009-072-08, consisting of 80 acres in the A-10 zoning district, whereby the Planning Commission previously approved a variance to allow the Applicant to divide a two-acre parcel off of the agricultural parcel for the homestead.

NOTE: The materials for this Parcel Map were lost by the US mail. Consequently, the normal review process was interrupted and normal revision was not able to be provided. Conditions of

approval must be more detailed to compensate for the loss interaction.

Proposal: The Applicant's property includes a farmstead and irrigated farmland totaling 80 acres. The property has two fairly rundown homes, including a mobile home. The Applicant wishes to remove the mobile home, build a new home, and then remove the existing standard home. The result would be one home on the property instead of two. To obtain financing for the home, in conjunction with existing farmland loans, the Applicant proposes to split off the 2-acre farmstead area where the home will be located. The remaining corrals and irrigated farmland will be attached to the other 78 acre lot.

The requested lot size is approximately 2 acres, which is less than the 10 acre minimum lot size. To accomplish this, the Applicant previously obtained a variance from the minimum lot size. This Application implements the variance by proposing a Parcel Map to divide the land into 2 lots. The proposed line would pass through the existing mobile home but it is vacant. It will have to be removed before recording the map. The Building Department provided comments indicating that records for septic systems are not found and any that extend across the future property line must be removed or have an easement. According to the Applicant, the septic systems are so old that he will probably install a new one for the new home.

The property is served by Fitz Lane on the north side and Swope Lane on the west side. These roads have complicated federal easement arrangements, which, in turn, complicate the county road situation, as described in the criteria in the Staff Report.

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

Recommended conditions:

1. Any final changes required by the County Surveyor shall be made prior to recording.
 - a) Correction of minor errors, including bearings and/or distances.
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) 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) All septic system locations must be shown.
 - d) Two water dedications shall be submitted before recording the map.
 - e) Needed changes and labels clarifying the status of federal easements shall be made.
 - f) Add missing easements serving the property.
 - g) Inclusion of corner coordinates
3. The mobile home must be removed before recording the map.
4. The Fitz Lane right-of-way shall be drawn as a separate parcel and appropriate changes made to area and dimensions. It shall be labeled as offered for dedication. The County Commissioner's Certificate shall indicate that Fitz Lane will be accepted.
5. An informational note shall be added that one of the potential lots on the 80-acre property

has been used with this map.

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.

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

Commissioner Myles Getto made a motion to: (A) approve the Parcel Map Application for Trevor deBraga to divide Assessor's Parcel Number 009-072-08 into two (2) parcels, subject to conditions as listed in the Staff Report and Agenda Report; (B) to accept the offer to grant easements identified on the map; (C) to accept the offer to dedicate lands and improvements for Fitz Lane, and (D) to reject all other offers to dedicate lands and improvements at this time. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

B- Consideration and possible action re: Approval to enter into an Agreement between Churchill County Social Services and Crescendo Consulting for the completion of the Community Needs Assessment as required for Community Action Agencies to be reimbursed by Nevada Community Action Agency, in the amount of \$34,936.

Social Services is required to complete a community assessment every 5 years to update the Strategic Plan, per federal Health and Human Services, to maintain the community action designation. Social Services has requested reimbursement from the Nevada Community Action Agency to provide reimbursement for funds expended up to \$34,936.00. This has not been completed since 2017.

The community assessment will evaluate the needs of residents and community partners in the areas of essential services through surveys, community forums, and partner interviews.

FISCAL IMPACT: \$34,936.00.

EXPLANATION OF IMPACT: Contract amount.

FUNDING SOURCE: Nevada Community Action Association - RPIC Funds - via reimbursement arrangement.

ACTION REQUESTED: Accept

Shannon Ernst, Social Services Director, made this presentation as outlined above.

Chairman Scharmann 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 Director to execute the Contract. Commissioner Myles Getto seconded the motion, which carried by unanimous vote.

C- Consideration and possible action re: Approval of a Contract between Churchill

County and Walker River Construction, Inc., in the amount of \$546,987.01, to construct the 4-station RV Dump Station and to accept the proposal from Shaw Engineering, in the amount of \$30,000, for the inspection and testing for the same project.

On November 3, 2022, this board approved the construction of a new 4-station RV Dump Station at the county fairgrounds for an estimated cost of \$538,447, with the understanding that, upon receipt of bid proposals, the actual cost may be higher or lower. On May 12, 2023, at a public bid opening, the county received one bid proposal in the amount of \$546,987.01 from Walker River Construction, Inc. Subsequently, the county received a proposal in the amount of \$30,000 from Shaw Engineering, the project engineer for the on-site inspection and material testing during the project construction. The inspection will be performed by Shaw Engineering and the testing will be performed by CME as a subcontractor to Shaw.

FISCAL IMPACT: \$546,987.01 & \$30,000.00.

EXPLANATION OF IMPACT: Cost of construction is \$546,987.01 and the cost of inspection and testing is \$30,000.00.

FUNDING SOURCE: Bulidng Reserve Fund.

ACTION REQUESTED: Accept

Chris Spross, Public Works Director, made this presentation as outlined above. He said that after further discussion we thought that maybe four potable water tower pay stations was probably excessive, so we are thinking of maybe just doing two. I can't tell you how much that is going to bring the price down to because the entire water system is all in one lump sum item but there will be a reduction, not only in the cost of the bid but also for the annual fee that Parks and Recreations has to pay for those towers. We are looking at that reduction to bring that cost down. As part of this project, we need to have sight inspections for the construction portion of it and also materials testing and things like that. We received a proposal from Shaw Engineering for \$30,000. Part of that is to have an inspector on site during the construction. We are asking the board to approve and execute that Contract so we can begin the process of obtaining insurance and bonds and have meetings and begin construction. It is a 90-day contract, so the day we start, it should be done in 90 days. Comptroller Wideman said were you able to get any grant funding on this? Director Spross said no.

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

Commissioner Myles Getto made a motion to approve and execute a Contract between Churchill County and Walker River Construction, Inc., in the amount of \$546,987.01, to construct the 4 slot RV Dump Station and to accept the proposal from Shaw Engineering, in the amount of \$30,000.00, for the inspection and testing for the same project.

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

Closed Personnel Session Pursuant to NRS 288.220:

A- Closed Personnel Session Pursuant to NRS 288.220 re: Discussion of the negotiations with the Churchill County Sheriff's Deputies Association.

A closed session will be held to discuss the progress of negotiations with the Churchill County Sheriff's Deputies Association. 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

This item was withdrawn prior to the meeting.

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 said, as of the last meeting, the expectation was that we would have roughly 60% or so of the remaining amount of water that is up on the mountain to make it down to the reservoir and, with that expected efficiency, we would have the ability to control all of the water outflow. The BOR and TCID have recommended filling the lake, which I am sure everyone has seen. We are up to 170,000 acre feet in the lake, at this time. That is about half full. I have not heard what that fill is going to get up to before they start to recontrol how much water is coming in. The weir is currently not being used so the lake is filling up and it will be addressed when the lake gets to a point where they want to engage in active control measures.

Commissioner Heath said are they going to pay us back for the \$5.5M since they are not using it? Deputy DA Joe Sanford said I have not heard any update on that information. I know there has been a discussion of some sort of reimbursement but I have not heard any exact numbers yet.

Chairman Scharmann said there are some disagreements between the County Commission and TCID about this. They want to fill the lake and then use the weir for any excessive water that might come in. We are very worried about flooding and we want to keep the amount lower. There is an agreement that is being made that the lake will be filled to 250,000 acre feet and then the weir will be used. Both the city and the county are concerned that, if it does go past that amount and the weir is not opened, there are concerns about that. That is where we are at right now, so there is some agreement that is happening between the city, the county and TCID, right now. Maybe they are discussing that today, although I don't know if they are doing that or not. There was no action taken on this item as it was for information only.

Letters Received:

A- Nevada Division of Environmental Protection's Draft 2022 Annual Monitoring and

Inspection Report for Installation Restoration Sites 5, 18, 20, 21, and 22 at Naval Air Station Fallon, Nevada.

The Nevada Division of Environmental Protection (NDEP) has reviewed the Draft 2022 Annual Monitoring and Inspection Report for Installation Restoration Sites 5, 18, 20, 21, and 22 at Naval Air Station Fallon, Nevada. The Draft Report summarizes the findings of the 2022 annual groundwater monitoring and inspections conducted for Installation Restoration Program (IRP) Site 5 and the Landfill Operable Unit (LFOU) which consists of IRP Sites 18, 20, 21, and 22.

The 2022 annual inspection and monitoring activities included landfill inspections and groundwater level gauging at 27 of 27 monitoring wells located in and around the four LFOU sites, an annual landuse control (LUC) inspection at IRP Site 5, and a biennial groundwater sampling event at IRP Site 18. The annual inspections and monitoring activities were conducted in September 2022.

Additionally, two post-rainfall visual inspections were conducted in August and December 2022 after significant rainfall (greater than 0.5 inches of precipitation in 24 hours) was recorded at the Sites. The annual inspections, observations, measurements, and monitoring results were generally consistent with those previously reported.

The groundwater flow direction and gradient at NAS Fallon were consistent with previous monitoring events. Groundwater was measured at shallow depths generally less than 12 feet below ground surface and flowed towards the east-southeast at a gradient of less than 0.001 to 0.008 feet per foot. Groundwater samples were collected from 4 existing monitoring wells at IRP Site 18 on September 29 and 30, 2022. Samples are collected every 2 years from Site 18. The groundwater samples were analyzed for the following parameters: volatile organic compounds (VOCs) by U.S. EPA Method 8260C, dioxins and furans by U.S. EPA Method 8290A, PAHs by U.S. EPA Method 8270-SIM, Pesticides (aldrin and dieldrin) by U.S. EPA Method 8281A, metals by U.S. EPA Method 6020A/7460A, and total dissolved solids (TDS) by Standard Method 2540C. No analytes were detected above the laboratory reporting limits or the project screening levels in any groundwater samples collected during 2022, with the exception of several metals and TDS; however, metals and TDS concentrations were consistent with the naturally occurring background levels and historical concentrations detected at IRP Site 18 and NAS Fallon.

The NDEP concurs with the recommendations presented in the Draft Report, including discontinuation of monitoring for pesticides in groundwater at IRP Site 18. The NDEP has minor comments to the Draft Report which are included in Attachment A. Please provide a response to comments for the NDEP to review. Following review of and concurrence with the response to comments, the NDEP will issue a formal concurrence letter to finalize the Draft Report.

If you have any questions, please feel free to contact me at (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

1:20 PM B- Carson-Truckee Water Conservancy District's Tentative Budget for the Fiscal Year Ending June 30, 2024.

The Carson-Truckee Water Conservancy District provides its Tentative Budget for the Fiscal Year Ending June 30, 2024.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

C- The Bureau of Land Management is beginning the process of completing a Land Health Assessment and evaluation report for the 'Basalt, Belleville, Little Huntoon, and McBride Fait Allotments (BBLM) in order to evaluate their potential for livestock grazing and other land-uses.

The Bureau of Land Management is beginning the process of completing a Land Health Assessment (LHA) and evaluation report for the 'Basalt, Belleville, LittleHuntoon, and McBride Fait Allotments (BBLM) in order to evaluate their potential for livestockgrazing and other land-uses. These completed land health documents will be used during the development of the National Environmental Policy Act analysis in an effort to make progress towards meeting rangeland health standards. From that analysis, final decisions may be issued to address multiple use management determined through public involvement and input, depending on the LHA findings.

The BLM is seeking additional existing monitoring data and information for completing the Land Health Assessment. The BLM prefers that comments and data be submitted on the ePlanningwebsite, at <https://bit.ly/3zOPent>. Data and information may also be submitted electronically, CD, or hard copy to the following address or email with the title "BBLMA Land Health Evaluation" in the subject line:

Bureau of Land Management
Stillwater Field Office
C. John Mitchell
Acting Field Manager
5665 Morgan Mill Road
Carson City, Nevada

Comments sent electronically and via email should be sent to blm_nv_ccdowebmail@blm.gov. In accordance with this request, additional data and information to be considered on completion of the land health documents will be accepted until June 16, 2023. Written comments must be postmarked or otherwise hand delivered by 4:30PM on or before June 16, 2023. After this date, the Stillwater Field Office will consider all available data and information on record to complete a draft land health assessment and evaluation report. Once these draft documents have been completed, BLM will issue a draft for public review and comment prior to the completion of the

appropriate environmental assessment.

If you have any questions regarding this request, please contact Sabrina McCue, Rangeland Management Specialist, at (775) 885-6010 or at smccue@blm.gov. Thank you for your interest in the BBLMA Land Health Evaluation.

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 of its concurrence with the Navy's Response to NDEP Comments on the Draft 2022 Annual Monitoring and Inspection Report for Installation Restoration Sites 5, 18, 20, 21, and 22 at Naval Air Station Fallon.

The Nevada Division of Environmental Protection (NDEP) provides notification of its concurrence with the Navy's Response to NDEP Comments on the Draft 2022 Annual Monitoring and Inspection Report for Installation Restoration Sites 5, 18, 20, 21, and 22 at Naval Air Station Fallon. NDEP reports that the documents satisfactorily address NDEP's comments.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

E- Notification of compliance with the Nevada State Public Health Lab, Satellite location, in Churchill County.

The lab underwent its biannual inspection. The following deficiencies were noted on 5/3/23:

1. SOP to document intake specimens.
2. SOP on thresholds of evaluating PCR's by the Lab Director, Dr. Pandori.

Corrective actions were completed on May 10, 2023 and accepted and the CLIA was renewed.

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: Approval of a proposal from Johnson Perkins Griffin, in the amount of \$1,650, to provide professional appraisal services for the purpose of evaluating a Conservation Easement on property under the ownership of Jeffery L. Goings and Karen K. Goings, Co-Trustees of The Jeff and Karen Goings 2017 Revocable Trust (APNs: 006-692-30; 006-692-31; 006-692-32).

As part of Churchill County and the U.S. Navy's Conservation Easement Program, the U.S. Navy has engaged Johnson Perkins Griffin Real Estate Appraisers and Consultants to prepare an

appraisal of the unencumbered fee simple market value and an appraisal of the Restricted Use Easement for property under the ownership of Jeffery L. Goings and Karen K. Goings, Co-Trustees of The Jeff and Karen Goings 2017 Revocable Trust (APNs: 006-692-30; 006-692-31; 006-692-32 - Note, the appraisal proposal uses APNs: 006-692-19, 006-92-20 and 006-692-21. These parcel numbers were updated after the recording of a Boundary Line Adjustment map and are now 006-692-30, 006-692-31, 006-692-32 respectively.) As part of the contract, Johnson Perkins Griffin agrees to prepare an appraisal of the Conservation Easement on this property for the county's review and consideration. The appraisal report will be used by the county in order to evaluate the potential purchase of a Conservation Easement, which is a requirement of this process. Ultimately, once an appraisal is obtained, if a Purchase Agreement is executed, following Churchill County Commission approval, the cost to purchase the easement will be divided with the Navy contributing 75% and the county contributing 25%, per the Encroachment Protection Agreement.

FISCAL IMPACT: \$1,650

EXPLANATION OF IMPACT: Approving these expenditures will help support the Transfer of Development Rights (TDR) Program for Churchill County, protect productive agricultural land, and reduce the ability for urban growth to encroach upon NAS Fallon. The reduction of encroachment upon NAS Fallon will protect one of our community's most important economic assets. The county's cost is \$1,650 for this appraisal. There are funds available in the budget to pay for Conservation Easement appraisal reports.

FUNDING SOURCE: Water Resources/Contracted Services: 380-380-52400.

ACTION REQUESTED: Accept

Julie Guerrero, Administrative Services Manager, 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 the proposal from Johnson Perkins Griffin to perform a summary appraisal report on property under the ownership of Jeffery L. Goings and Karen K. Goings, Co-Trustees of The Jeff and Karen Goings 2017 Revocable Trust (APNs: 006-692-30; 006-692-31; 006-692-32) and to authorize the County Manager to sign the proposal. Commissioner Myles Getto seconded the motion, which carried by unanimous vote.

B- Consideration and possible action re: Approval of a proposal from Johnson Perkins Griffin, in the amount of \$1,650, to provide professional appraisal services for the purpose of evaluating a Conservation Easement on property under the ownership of David P. Eckert and Victoria Eckert, Trustees, or their successors in interest, of the Eckert Family Trust dated October 23, 2013 (APNs: 006-111-29 and 006-111-37).

As part of Churchill County and the U.S. Navy's Conservation Easement Program, the U.S. Navy has engaged Johnson Perkins Griffin Real Estate Appraisers and Consultants to prepare an appraisal of the unencumbered fee simple market value and an appraisal of the Restricted Use Easement for property under the ownership of David P. Eckert and Victoria Eckert, Trustees, or their successors in interest, of the Eckert Family Trust dated October 23, 2013 (APNs: 006-111-

29 and 006-111-37). As part of the contract, Johnson Perkins Griffin agrees to prepare an appraisal of the Conservation Easement on this property for the county's review and consideration. The appraisal report will be used by the county in order to evaluate the potential purchase of a Conservation Easement, which is a requirement of this process. Ultimately, once an appraisal is obtained, if a Purchase Agreement is executed, following Churchill County Commission approval, the cost to purchase the easement will be divided with the Navy contributing 75% and the county contributing 25%, per the Encroachment Protection Agreement.

FISCAL IMPACT: \$1,650

EXPLANATION OF IMPACT: Approving these expenditures will help support the Transfer of Development Rights (TDR) Program for Churchill County, protect productive agricultural land, and reduce the ability for urban growth to encroach upon NAS Fallon. The reduction of encroachment upon NAS Fallon will protect one of our community's most important economic assets. The county's cost is \$1,650 for this appraisal. There are funds available in the budget to pay for Conservation Easement appraisal reports.

FUNDING SOURCE: Water Resources/Contracted Services: 380-380-52400

ACTION REQUESTED: Accept

Julie Guerrero, Administrative Services Manager, 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 approve the proposal from Johnson Perkins Griffin to perform a summary appraisal report on property under the ownership of David P. Eckert and Victoria Eckert, Trustees, or their successors in interest, of the Eckert Family Trust dated October 23, 2013 (APNs: 006-111-29 and 006-111-37) and authorize the County Manager to sign the proposal. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

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

Civil Deputy District Attorney Joseph Sanford said this session is very quickly coming to an end. The session ends on June 5th. I can't say that they have been terribly productive this year. There were a lot of bills that did not end up going anywhere, which is better for us as most of them we were not interested in, so seeing them not pass is generally a good thing. On two of them that we have previously discussed, SB 118, which is our health district bill which was originally designed to remove the word adjacent for the creation of the health district so that we could include Eureka County, it has expanded since that time to include a rather significant appropriation of about \$15M to help fund some of these projects. That aspect has caused some consternation amongst the Legislators. The last I heard is that it was unlikely to pass with that appropriation in it. The work for this is to see if we can at least get the bill to pass as we originally wanted, which was to just delete the word adjacent. There are only four days left, so we will know very soon if that is going to happen. Caleb Cage testified on this bill last week, so we are hopeful that our portion will pass.

In addition, SB 391, which is the sounding of the emergency bell, there has been an amendment, I believe, that carves out Churchill County and says that if the bell has a history or was ever used for discriminatory purposes, then the bell will be forbidden to be sounded. Our Assemblyman Greg Koenig has done a good job expressing the concern that Churchill County had. I don't think there is any argument that our bell was never used for that purpose, so we should be able to continue as we always have.

There is one that is very new, which is AB 518. It was introduced about a week ago and is an amendment to the Indigent Defense reimbursement plan. Originally, this bill was going to set our maximum contribution rate and recalculate it every year with a 5% inflationary increase. When we began working on our Indigent Defense update, our contribution was going to be capped at the 2018 rate and then go up as an inflationary increase from there, so we would be able to make the changes requested of us through Indigent Defense and the Davis Decision without expending significant resources or being reimbursed for resources that we did expend. The original amendment would have gotten rid of that and cost us about \$300,000 in additional expenses per year. There had been an amendment by all of the counties to go back to what we originally agreed on. That has been adopted by the committee as their recommendation to pass. We should be having that to go back to what we had agreed to. There is another amendment that was added last Friday, which is about a stipend for the people who are working on the weekends to cover the 48-hour rule. Earlier, there had been a bill to exempt the weekends from the 48-hour rule and that bill did not pass. There is no appetite at all for this bill to ever pass, so this was sort of a negotiated compromise to that to have some sort of stipend from the state for the weekend work. The rate was going to be set at \$450 per day for each of the three departments that would be working there, which equated to about \$70,000 per year per court. Unfortunately, Churchill County was placed as only having one day out of the two where we were holding court even though we currently pay for both days. It is unclear whether or not we will be able to amend this bill. I would like your approval to get that changed for Churchill County. It is something that needs to be worked on. We will need to engage our lobbyist to help get this done. We are working on it but I would like to have formal support from the county board.

Chairman 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 support of AB 518 by including Churchill County as a 2-day court on weekends. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

Consent Items:

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

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

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

B- Consideration and possible action re: Treasurer's Report for April 2023 showing a balance of \$65,655,849.21 in the account.

Clerk/Treasurer Linda Rothery provides the Treasurer's Monthly Report for April 2023 showing a balance of \$65,655,849.21 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: Acknowledgement of recordation of a Conservation Easement Deed, Document #501846, for James R. Brown and Patricia S. Brown, Trustees of the Brown Family Trust dated November 29, 2016, for property located at 1550, 1600, and farmland on Wildes Road, Assessor's Parcel Numbers 006-671-38, 006-671-39, and 006-671-41; authorization for the issuance of 88 Transfer of Development Right (TDR) Certificates to Churchill County; and authorization to record the Notice of Final Action to issue said certificates.

The Board of County Commissioners approved the Application for a Sending Site for Assessor's Parcel Number 006-671-38, 006-671-39, and 006-671-41 on April 21, 2021. The Navy and Churchill County have participated in a 75:25 basis to purchase a Restrictive Use Easement and a Conservation Easement on the subject property. A Conservation Easement Deed, Document 501846, and a Restrictive Use Easement, Document #501848, were recorded on the subject property on May 19, 2023. As part of the Purchase Agreement between Brown Family Trust dated November 29, 2016 and Churchill County, which was approved by the board on November 3, 2022, a total of 88 Transfer of Development Rights (TDRs) will be retained by

Churchill County.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT:

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

D- Consideration and possible action re: Acknowledgement of recordation of a Conservation Easement Deed, Document #501845, for David P. Eckert and Victoria A. Eckert, Trustees or their successors in interest of the Eckert Family Trust dated October 23, 2013, for property located at 1805 Norcutt Lane and 9295 Pasture Road, Assessor's Parcel Number 006-111-26, 006-111-27, and 006-111-25; authorization for issuance of 225 Transfer of Development Right (TDR) Certificates to Churchill County; and authorization to record the Notice of Final Action to issue said certificates.

The Board of County Commissioners approved the Application for a Sending Site for Assessor's Parcel Numbers 006-111-25, 006-111-26, and 006-111-27 on August 5, 2021. The Navy and Churchill County have participated in a 75:25 basis to purchase a Restrictive Use Easement and a Conservation Easement on the subject property. A Conservation Easement Deed, Document #501845, and a Restrictive Use Easement Deed, Document #501847, were recorded on the subject property on May 19, 2023. As part of the Purchase Agreement between Eckert Family Trust dated October 23, 2013 and Churchill County, which was approved by the board on November 3, 2022, a total of 225 Transfer of Development Rights (TDRs) will be retained by Churchill County.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

E- Consideration and possible action re: Transfer of funds to the Churchill County Road Department in the amount of \$300,000 for Fiscal Year 2023 for various road/bridge projects for the 3rd Quarter.

At the regular Regional Transportation Commission (RTC) meeting held on May 17, 2023, the RTC approved the following transfer, subject to available funding: transfer of funds to the Churchill County Road Department in the amount of \$300,000, with funding to be split 50/50 from Regional Transportation Fund 280 and Public Transit Fund 395.

The reimbursement is for the blade maintenance of county roads for the period of February 2023 through April 30, 2023, in the amount of \$143,891.89; the Indian Lakes Road cut & patch, in the amount of \$97,284.89; patching of county roads for the period of July 2022 through November 2022, in the amount of \$37,097.78, and crack sealing of county roads for the period of July 2022 through December 2022, in the amount of \$26,470.99. The project's total is \$304,745.55. However, the department is only requesting to transfer the encumbered amount of \$300,000, which was approved by the RTC at the March 15, 2023 meeting.

FISCAL IMPACT: \$150,000 from Regional Transportation Fund 280-631-85300 and \$150,000 from Public Transit Fund 395-881-85300

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: \$150,000 from Regional Transportation Fund 280-631-85300 and \$150,000 from Public Transit Fund 395-881-85300.

ACTION REQUESTED: Accept

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

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

Consider Future Agenda Items:

There were no future Agenda items suggested.

Commissioner and Management Staff Reports:

Chairman Scharmann reported on the following topics:

- I had a Carson Water Subconservancy District meeting.
- I met with Ernie Schank after that meeting. TCID wants to make sure the lake is full after the irrigation season but my concern is for flooding and the flooding of homes.

Commissioner Heath had nothing to report.

Commissioner Getto had nothing to report.

County Manager Barbee was absent.

Comptroller Wideman reported on the following topics:

- We are working on budget augmentations.

Civil Deputy DA Sanford had nothing to report.

Clerk/Treasurer Rothery was not present and Deputy Clerk Moore had nothing to report.

Claims and Payroll Transmittals:

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

Public Comment:

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

Adjournment:

The meeting was adjourned at 8:57 AM.

Quarterly Jail Inspection:

A- 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.

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. A report of the inspection will be prepared and recorded.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

The quarterly jail inspection was conducted following adjournment of the meeting and a report was made of that inspection.

Approved: 
Harry "Bus" Scharmann, Chairman

Approved: 
Justin Heath, Vice-Chairman

Approved: 
Myles Getto, Commissioner

ATTEST:
Linda Rothery, Clerk/Treasurer


Renae Paholke, Deputy Clerk