

MINUTES OF THE BOARD OF CHURCHILL COUNTY COMMISSIONERS

155 N. Taylor St., Fallon, NV 89406

July 6, 2023

Call to Order:

The regular meeting of the Board of County Commissioners was called to order at 8:15 AM on July 6, 2023.

PRESENT:

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

ABSENT:

Pledge of Allegiance:

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

Public Comment:

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

Verification of the Posting of the Agenda:

It was verified by Renae Paholke, Deputy Clerk, that the Agenda for this meeting was posted on the 30th day of June, 2023, between the hours of 2:00 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 Justin Heath made a motion to approve the Agenda as revised. New Business B was withdrawn prior to the meeting. Commissioner Myles Getto seconded the motion, which carried by unanimous vote.

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

A- May 31, 2023 Felton Appeal of Silver Sage Horse Boarding Facility.

The Minutes of the meeting held on May 31, 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 Myles Getto made a motion to approve the Minutes of the meeting held on May 31, 2023 as presented. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

B- June 1, 2023.

The Minutes of the meeting held on June 1, 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 Myles Getto made a motion to approve the Minutes of the meeting held on June 1, 2023 as presented. 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

The regular meeting was recessed at 8:19 AM.

Commissioner Justin Heath made a motion to recess the meeting to conduct the closed session. Commissioner Myles Getto seconded the motion, which carried by unanimous vote.

The regular meeting reconvened at 9:06 AM

Appointments:

A- Consideration and possible action re: A Sending Site Application filed by Toby Joe Scoggin for property located at 6755 Stuart Road and on Stuart Road, Assessor's Parcel Numbers 009-131-06 and 009-131-03, consisting of 110.0 acres and 120.0 acres respectively, with a total of 86.0 water righted acres, whereby the Applicant proposes to place a conservation easement on these properties.

This Application is for approval of a Sending Site and Transfer of Development Rights calculation. Note that additional acreage appears to be farmed on APN: 009-131-06 without water rights, perhaps being supported by groundwater. Also, a large area on APN: 009-131-03 does not have water rights but substantial vegetation appears to be supported by groundwater.

See the TCID map.

Sending Sites have minimum requirements:

- 20-acre minimum parcel size or identified as a special site (CCC 16.14.050),
- Non-irrigated areas do not pose a dust liability (CCC 16.14.030.D),

Sending Sites must provide a community benefit below by means identified in CCC 16.14.030.B:

- Agricultural preservation and retention of water rights.
- Protection of military operations.
- Protection of water recharge areas.
- Protection of open space.
- Protection of wildlife habitat.
- Providing public access.
- Other special benefits.

This property qualifies for the minimum standards by meeting the acreage requirement and providing dust control through active farming or established native vegetation. This property provides community benefit by (a) protection of military operations on both parcels, (b) agricultural preservation of 85-90 acres on one parcel that increases in easement value, and (c) protection of a special site that provides roughly 70 acres of wildlife habitat and additional open space that increases its easement value.

The Applicant requested an additional residence on the vacant property and requests that the two properties be appraised separately.

The Sending Site Committee reviewed the Application on June 5, 2023 and recommends approval of the Sending Site. The Committee recommended a total of 201 TDRs. The Planning Commission also recommended approval of the Application on June 14, 2023 with a total of 201 TDRs.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Chris Spross made this presentation as outlined above. Toby Scoggin said the area has a lot of naval traffic, not a lot, but this ground is more set up for agriculture. I don't see it being a home area. It seems like this is the right thing to do. In the center of the properties is just some desert ground. It is 2 different parcels. It is just that little horseshoe area there.

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

Commissioner Myles Getto made a motion (a) to approve the Sending Site Application for Toby Joe Scoggin on property at 6755 and nearby vacant land (APNs: 009-131-06 and 009-131-03), consisting of a total of 230 acres, based on providing community benefit of 86 acres of farmland with surface water-rights and roughly 70 acres of a special site with

wildlife habitat (plus additional open space), and (b) to approve 201 Transferable Development Rights (TDRs) for the same property. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

B- Consideration and possible action re: Review and approval of partner funding allocations for FY24 of the R092-17A Marijuana Tax allocation to New Frontier Treatment Center, Churchill County School District, and Churchill Community Coalition.

Annually, Churchill County receives approximately \$88,000 from the State Marijuana Tax collection. The Board of County Commissioners, in 2018, dedicated these funds to serving the community to assist with the effects of the legalization of marijuana and disbursement of the funds for education and support through Social Services and partners.

Previously, the authority for partner allocations and reporting was delegated to the Churchill County Board of Health. In December 2022, the County Board of Health was abolished as part of the creation and implementation of the Central Nevada Health District, which brings the oversight to the County Commissioners, unless the board decides another overseeing authority for the future.

Churchill County Social Services released the Application of requests to New Frontier Treatment Center (NFTC), Churchill Community Coalition, and Churchill County School District. All three agencies have submitted the completed request, which are detailed below:

* Churchill Community Coalition: Staffing, supplies and indirect. The goal of the program is to provide TGFD programming in the schools, create mindfulness materials for distribution to the community and work with Social Services for the 2nd annual Mental Health Wellness and Suicide Prevention Retreat in May 2024. Request: \$16,366.77 Personnel, \$4,439.09 Supplies, \$2,342.29 Outreach Materials and \$1,851.85 indirect administrative costs for a total request of \$25,000. This is an increase of \$2,544.64 from FY23.

* New Frontier Behavioral Health Center: Staffing and supplies. The goal of the request is to develop a Critical Incident Debrief Team and develop a Suicide / Mental Health Crisis Team. \$5,300 Personnel, \$4,371 Supplies for a total of \$9,571. This is an increase of \$5161 from FY23.

* Churchill County School District / UNR School of Social Workers: Contracted Services \$25,200, total request, no increase requested from FY23. The goal is to provide Social Worker internships at schools to increase access to student counseling and reduce gaps and barriers.

* Churchill County Social Services: Personnel \$55,000. The goal is to leverage federal and State grants for the Resource Liaison Program with Certified Community Health Workers to conduct outreach to vulnerable populations to obtain and maintain safe and independent living. No increase requested from FY23.

Recommendation:

Churchill Community Coalition - Maintain the allocation at the level of funding, \$25,455.36, no indirect award - Social Services will provide \$1,635 for supplies to support mindfulness materials, and in May 2024 help purchase necessary items for the event as needed. from SS Mental Health budget, \$20,819.68 from RO19-17A fund. The total funding allocated is recommended at \$22,455.36.

New Frontier Behavioral Health Clinic - Increase allocation by \$499 to support additional personnel. The total recommended allocation from the RO19-17A is \$5,010,

CCSD / UNR - Fund the level request at \$25,000 - \$7,170.32 from RO92-17A and \$19,665.36 from the SS Mental Health budget.

Churchill County Social Services - Maintain the level funding of \$55,000 from RO92-17A to provide the match as needed to maintain programming, which is not eligible under the SS Mental Health Budget.

A spreadsheet and requests are provided from partnering agencies.

FISCAL IMPACT: Total allocated funding is \$107,655.36.

EXPLANATION OF IMPACT: \$88,000 RO19-17A; \$19,655.36 Social Services approved mental health budget.

FUNDING SOURCE: RO19-17A Indigent Tax Revenue - Social Services.

ACTION REQUESTED: Accept

Social Services Director Shannon Ernst made the 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 allocations as presented and to authorize the Social Services Director to execute the Agreements with community partners. Commissioner Myles Getto seconded the motion, which carried by unanimous vote.

C- Consideration and possible action re: Presentation of a Public Lands and Natural Resources Tracking List.

Resource Concepts, Inc. (RCI) has been involved in and is monitoring an array of issues and projects related to public lands and natural resources in Churchill County. An overview and update of those issues will be provided.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

Jeremy Drew, Resource Concepts, Inc., had a slide show as presented:

Fallon Range Training Complex Modernization and Public Law 117-263 Implementation:

Mapping:

- We have a standing offer to assist DOI / BLM with creating official map(s).

Special Designations:

- All Wilderness Study Areas have been released.
- National Conservation Areas, Wilderness Areas and Special Management Areas are pending actual management plans.

Management Plans

Conveyances:

- Pending further coordination with BLM and BOR as appropriate.

Mitigation:

- The Navy plans to phase mitigation obligations by range as follows:

- o Dixie Valley Training Range, which is purchasing property and water rights.
- o B-16
- o B-17
- o B-20

Roads:

- Lone Tree Road is pending design and funding. NDOT will be hosting an open house at the Fallon Convention Center on July 18th from 4:00 PM to 7:00 PM. That is to talk about specifics of realignment of State Route 361 on the Gabbs Highway. That is going to be a big lift for everyone involved. This is the first item to start addressing that issue. They have an online link for a virtual view.
- Sand Canyon / Red Mountain Road realignment pending BLM permitting, design and funding.
- Pole Line Road realignment pending BLM permitting, design and funding.
- SR 361 (Gabbs Highway) pending BLM permitting, design and funding.

Navy Withdrawal:

Authorized operation use of ranges is pending completion of mitigation obligations. Chairman Scharmann said I really, I think at the next IEC meeting we are going to bring up the timeline for the transferring of the checkerboard to the county. I don't know if they are going to have any work done on that at all, the BLM, but I am just wondering if you know anything about that. County Manager Barbee said the stage that we are at now is they had released after the SNPLMA state executive board meeting in May, they had brought forward a proposed cost schedule for transfer of checkerboard creating a budget line item in the SNPLMA fund to do that work. They had suggested around \$1,500 an acre or roughly \$8M a section of land, which was perplexing in that the property in that section of land with no infrastructure or amenities or anything on it is probably worth about \$60,000 total. One of the things that I have requested through Chair Goicoechea is that they provide an update not only on the checkerboard process development but also on how they are deriving this cost because that would represent a little over \$400M based on the number of federal sections that are within the checkerboard exchange area. It seems a bit unreasonable and unrealistic and so we are going to try to get clarity on that. I am not sure what they will have to present at that point but they have had enough time to create a line item for budgeting. Jeremy Drew said I will be able to attend that meeting in August to see how that figure was derived because that does sound very high. Outside of FRTC, there is actually a ton going on in regards to access, recreation & transportation.

Access, Recreation & Transportation:

On Land Use & Planning:

DOI-BLM Proposed Rule on Conservation and Landscape Health they have declared this rural riding season. They came out with a proposed rule on what they are calling Conservation and Land Health and this is coming up for ratification of a comment letter so I am not going to talk a lot about this other than to say that we did submit a comment before the deadline and the subsequent extension for Churchill County. We will talk about that a little more on the next Agenda item. Additional Information available at: blm.gov/public-lands-rule.

Federal Register Notice on April 4 (see attached).

75-day Comment Period & 15-day Extension (Due, July 5).

See attached letter for ratification, separate agenda item.

DOI-BLM Proposed Rule on Renewable Energy and Rights-of-Way. Additional information available at:

blm.gov/press-release/interior-department-proposes-rule-bolster-solar-and-wind-development-public-lands.

BLM Solar Energy Program and Programmatic EIS.

I am going to dig on this a little more because I think it could have bearing for Churchill County, as well as other rural counties that are seeing an influx of interest in renewable energy. They are proposing an 80% reduction in the cost of right-of-way for renewable energy projects. Solar and wind generate very little revenue to the county or royalties like geothermal revenue. All the county is getting on those projects is the cost of construction and goods those projects generate. BLM is also moving forward with approving the EIS update on their solar program. They are looking at additional states in other areas where they believe that solar is appropriate for development on BLM lands. In Churchill County, particularly in the checkerboard, there is a big opportunity for that sort of development to occur, so that is something we are keeping an eye on as a cooperating agency. Additional information available at: eplanning.blm.gov/eplanning-ui/project/2022371/510.

BLM Greater Sage-grouse Resource Management Plan Update (COOPERATING AGENCY):

The BLM is also moving forward with Version 3 Plan Amendment for the sage grouse management. BLM is going to consider five alternatives as well as some updated mapping. We are just making sure that what happens there makes sense from the county standpoint. Because we are under a non-disclosure, I can't get into the details on this but I do believe that in late summer, the public EIS draft will be available. We are working with other counties on this to try and divert a little bit of a disaster on where this could go. Additional information available at: eplanning.blm.gov/eplanning-ui/project/2016719/530.

Scoping comments submitted on 1/26/2022.

BLM Conceptual Statewide Resource Management Plan:

Details, scope and timeframe are still pending. The BLM is also considering a statewide resource management plan update. The Carson City RMP got all the way to a final EIS and then was kind of put on hold indefinitely and that has been the case for 5-6 years now. Because they

are so far out of date with almost every RMP in the state, their concept is to try and do a focused update that is statewide. They have about half the funding they need to move forward with that. The D.C. office has not approved the other half of the funding for that. If that does move forward, we certainly will want to look at it because it could include everything from travel management, special designations and everything else. Obviously, with the FRTC, there is a lot in the Carson City District that needs to be updated just to catch up with the conformance of the new laws and the land withdrawals. Additional information available at: frtcmodernization.com/

DOI Grazing Regulation Updates:

We have been tracking the DOI grazing regulations updates. That is something that has been going on for 4-5 years and last week the DOI came out and basically said we are going scrap any regulation updates or new rules in lieu of new guidance and direction internally. Kind of an interesting turn of events there given the amount of work in previous years. I will be interested in seeing what they mean by new guidance and internal direction.

Mining:

The only project I have listed under mining is Fondaway Canyon. Additional information available at: getchellgold.com.

Energy & Transmission:

NV Energy Greenlink North 5, which I think is going to generate a lot more interest in renewable energy and, if it is something we want to comment on, we may be coming forward at a future meeting. There is also a new fiber optic project that we are a cooperating agency on. The Vero Fiber Optic Project is going down Highway 50 and then down to Rawhide Road over to Gabbs and they are essentially going to end up connecting Sparks with Las Vegas with the new fiber cable.

As far as wild horses go, the Clan Alpine Horse Gather, we actually provided scoping comments when they started their EA in support of the gather. That PEA is out. It only has a 30-day comment period which doesn't bode particularly well with the open meeting law but that comment period ends July 17th. We are likely to develop a comment consistent with our scoping comments. That will probably be up for ratification at the next meeting so we don't miss that.

Dean Patterson said I was very interested in your description of different things going on. The Master Plan for Churchill County has a Chapter 12 that talks about natural resources and has been on hold for about 10 years for development of a number of big items, mainly the BLM Resource Plan and the Navy Range Expansion. Now that the Navy Range Expansion is done, I guess, with their Natural Resources Plan, did they have an estimate of when that might be done? Jeremy Drew said they actually started down this road 2-3 years ago with the anticipation of completing it in 2 years. I think that is super ambitious. I don't see it being done in that time period, quite frankly. They don't know if or when the rest of the funding is going to come and once they formally kick off, you are probably looking at a 2-4 year timeframe. As far as the Master Plan goes, that is still a very good plan, in my opinion. It is probably something we should look at for updates and it should remain on our minds. Overall, it is still a very pertinent document. There may be some fine tuning we need to do but I don't think we are in need of a full scale rewrite. Dean Patterson said the Master Plan is due to be updated in 2025. We would

start looking at beginning the update at the end of this year. We don't have any details yet. It would be nice to get that finally wrapped up. Jeremy Drew said it all looks good now and I don't see any reason for us to fast-track that, at this point, unless you or the Commissioners do.

Chairman Scharmann said, as far as the Clan Alpine Horse Gather, do you know how many horses they are going to gather? Jeremy Drew said I have not looked at that recently. I know they are way over the AML and we actually were doing some field work out there last summer and there were some places that were in really rough shape. It has been a good year from a forage standpoint. They are way over allocated but I don't know the specific numbers but I can get those for you.

I provided websites for these items but if you would like pdf copies or any updates, I can include those in future updates. If there are any other things you have questions about you can email me or call me any time and I can get those for you.

Chairman 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.

D- Consideration and possible action re: Ratification of a comment letter to the Bureau of Land Management's Proposed Rule regarding Conservation and Landscape Health.

On April 4, the BLM published a Federal Register Notice soliciting comment on a Proposed Rule regarding Conservation and Landscape Health. RCI reviewed the Notice, Proposed Rule, and attended two BLM listening sessions on the rule. The Rule generally proposes to define "Conservation" as "Preservation" and "Restoration", revises the process for designation of Areas of Critical Environmental Concern (ACECs), including interim designations, establishes a new "Conservation Lease" program, and provides guidance on application of landscape health standards. After review and analysis, it was clear that the proposed rule conflicted with Churchill County's adopted policies contained in Chapter 12 of the Master Plan. RCI coordinated with County Manager Barbee, the Nevada Association of Counties, and other rural counties in developing a comment for County Manager Barbee's signature in order to meet the proposed comment deadline.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Jeremy Drew, Resource Concepts, Inc., said this is an issue that we have been tracking closely along with other counties. We attended a virtual meeting with BLM and then they also held a workshop in Reno where brass from D.C. BLM staff explained what they are trying to do with this. It is a little bit unique in that it is a Proposed Rule, which does have some political durability across administrations. I think that is why they are going this route. Essentially, what they are doing is kind of defining conservation and the thing that made me nervous and I felt was inconsistent with Chapter 12 of the Master Plan is that they define conservation pretty strictly as preservation or restoration. In my opinion, those are the exact wrong issues or means of encouraging a lot of the issues we have on public lands where they address wildfire invasive species or the overpopulation of horses, so immediately upon reading that definition, I thought it

flew in the face of what the county supports more in terms of multiple use management. I felt it was important to draft a letter and, again, we lean heavily on Chapter 12 of the Master Plan to convey what Churchill County believes should be happening on public lands in terms of multiple use. They were looking at proposing new means of designating and nominating areas of critical environmental concern or ACECs. That would include interim designations. Typically, you have to do designations through an RMP update. There were some of those proposed in the last round that county staff looked at before our time with the county and there was a public process and we looked at those designations cumulatively. Any time you talk about interim designations, I get really nervous. The other thing they were proposing is the concept of Conservation Leases. Essentially, an individual or other party could apply for a Conservation Lease and implement restoration type projects potentially at the expense of other authorized uses. The interesting thing is they indicated that states were looking at more durability for mitigation. Renewable project X comes in and develops on one parcel of public land and the concept is they can get a Conservation Lease on another parcel of land and put mitigation on that piece of land. That is all they need to qualify under the Conservation Lease. State and local governments were not included in that list. That was a big red flag for me. In doing that, they were going to designate conservation as a use but it would have been a non-use. The whole thing, when I started digging into it, kind of became nonsensical in a sense and I think you will see that in the letter that we prepared. The time frames got a little crunched. I miss the previous meeting and the minute we got the letter done they issued a 15-day extension, so I apologize that I didn't bring the letter forward sooner in regards to something that you could approve but we wanted to make sure that we were on the record. We really leaned on Chapter 12 of the Master Plan. We just did a whole boatload of special designations in the Lands Bill portion of the NDAA and if you need mitigation projects that are more durable, we have about 250M acres of special designations where those projects could go that have already been withdrawn for multiple use.

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

Commissioner Myles Getto made a motion to ratify a comment letter to the Bureau of Land Management's Proposed Rule regarding Conservation and Landscape Health. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

E- Consideration and possible action re: Approval of a scoping comment letter to the Bureau of Land Management's Environmental Impacts Statement (EIS) for the Greenlink North 500 KV Transmission Line.

On July 20, 2020, NV Energy submitted an SF-299 ("Application for Transportation, Utility Systems, Telecommunications and Facilities on Federal Lands and Property"), along with a Preliminary Plan of Development to the Bureau of Land Management (BLM) Nevada State Office for a right-of-way (ROW) for the purpose of the construction, operation and maintenance, and decommissioning of a new approximately 235- mile transmission line between Ely and Yerington, in White Pine, Eureka, Lander, Lyon and Churchill Counties, Nevada. The term of the ROW would be for 30 years.

On February 9, 2023, NV Energy also submitted a SF-299 and Preliminary Plan of Development to the Forest Service for a ROW for the purpose of the construction, operation and maintenance, and decommissioning of a new approximately 10-mile transmission line across the Austin-

Tonopah Ranger District of the Humboldt Toiyabe National Forest. The term of the Special Use Permit would be for 30 years. The BLM is the lead federal agency for the National Environmental Policy Act (NEPA) and National Historic Preservation Act (NHPA) compliance for this project.

On May 26, 2023, the BLM published a Notice of Intent (NOI) in the Federal Register, announcing the start of a 45-day public scoping period. The BLM also published a news release and made notifications via email and U.S. mail to parties on the project mailing list. A copy of the NOI and news release can be found on the project website at: <https://eplanning.blm.gov/eplanning-ui/project/2017033/510>. The objective of public scoping falls into three broad categories that we are seeking public input on including:

1. The relevant issues associated with the project that warrant analysis;
2. Means to minimize the effects from the project; and
3. Reasonable alternatives that would meet the preliminary agency purpose and need.

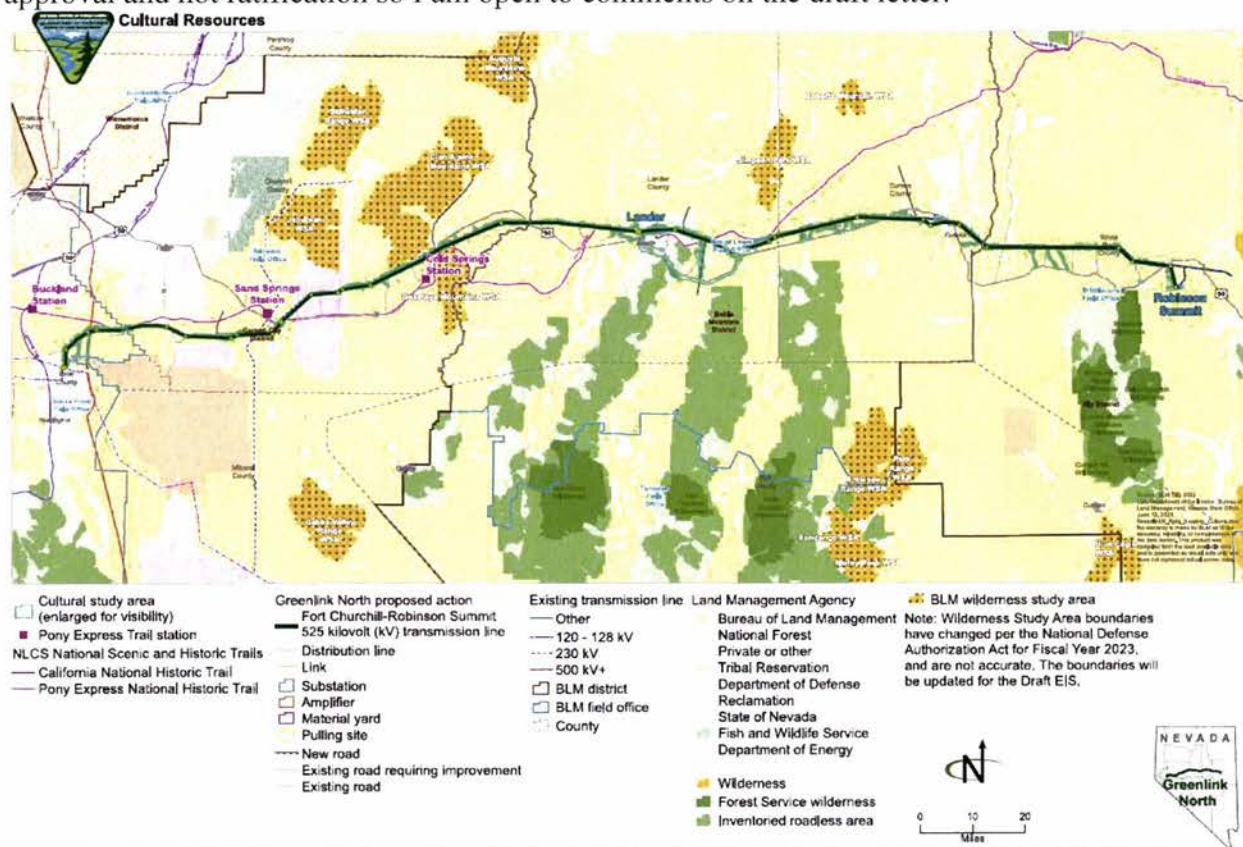
FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

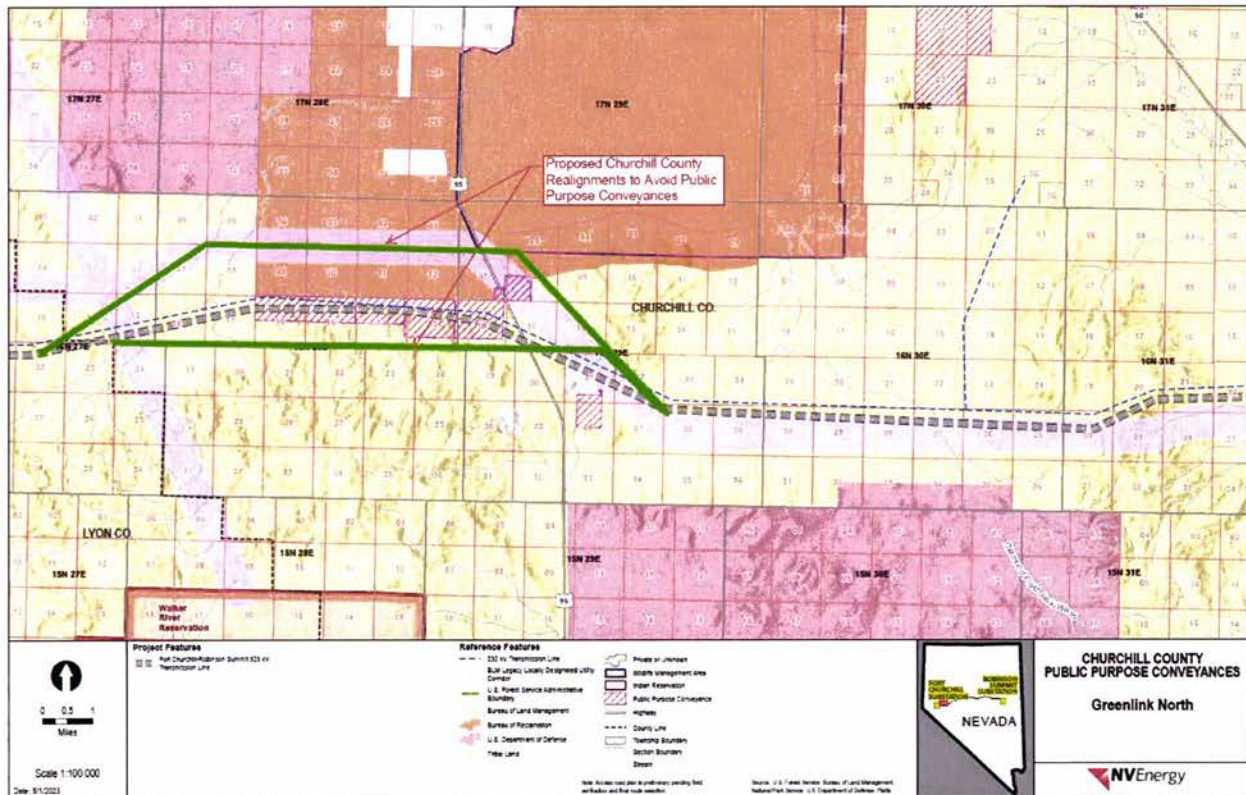
FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Jeremy Drew, Resource Concepts, Inc., said this is one were able to get processed in time for approval and not ratification so I am open to comments on the draft letter.



What you have up on your screen is the proposed routing of the Greenlink North 500 KV Transmission Line. This map, and BLM admitted as much, doesn't show the updated line designations for the wilderness study or the naval expansions, although I don't think either of those issues will change what they are trying to do. BLM is processing a request from NV Energy to build this new line that generally runs parallel with Highway 50 and follows existing high capacity transmission lines across the county. On the map, it is that teal color that basically crosses Highway 50 from the east and crosses again around Cold Springs and runs across the Dixie Valley Training Area in Dixie Valley and then comes through south of town is the proposed alignment.



They do have an alternative alignment that would basically kick north through Eureka County to I-80 and then come back into Churchill County. I don't think that alternative is going to be feasible. There is an exorbitant cost associated with some of the land transfers and the cost associated with the increased length of that powerline is significant and I don't see that happening. For the most part, I don't think there is a lot of conflict with the proposed alignment, with one exception. Their proposed alignment is the dashed gray line, which shows the existing alignment. What they were trying to do is stay parallel with that but, in doing so, they crossed over the Fallon Lands Bill and several sections of land that are identified through the Fallon Lands Bill as recreation and public purpose primarily because of the potential and the non-gravel resource there. In fact, there are a couple existing gravel pits. In talking with Gary Fowkes, he thought that was kind of an incompatible use. Obviously, you don't want to be working under a 500 KV transmission line. We are proposing two proposed reroutes. One would go south of those conveyances and one is actually to follow the designed corridor north into the Bureau of

Reclamation Land. I had a discussion with NV Energy and Powers Engineering who is doing the actual detailed line design on this but it is certainly something that you want to tab as part of our comment letter. Those are the mapping updates.

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

Commissioner Justin Heath made a motion to approve the draft scoping comment letter to the Bureau of Land Management's EIS for the Greenlink North Transmission Line. Commissioner Myles Getto seconded the motion, which carried by unanimous vote.

Letters Received:

A- Nevada Division of Environmental Protection's notification of its Notice of Proposed Action to issue a revision of the Class II Air Quality Operating Permit for New Millennium Building Systems, LLC.

The Nevada Division of Environmental Protection provides notification of its Notice of Proposed Action to issue a revision of the Class II Air Quality Operating Permit for New Millennium Building Systems, LLC. New Millennium Building Systems, LLC is located approximately 6 miles west of Fallon on US Highway 50, west of Trento Lane. The project is located in all or portions of Section 14, Township 19 N, Range 27 E, M.D.B.&M.

In this revision application, New Millennium Building Systems, LLC will remove S2.004, add a natural gas emergency generator, add an air make-up unit, and add an additional vacuum drum collector that exhausts indoors.

On the basis of the preliminary review and the requirements of the NRS, the NAC and the Clean Air Act, the Director is hereby announcing his intent to issue the proposed Class II Air Quality Operating Permit based on a review of the information submitted. A copy of this document, the draft permit, and the Director's Review will be available for public inspection at <http://ndep.nv.gov/posts>.

Persons wishing to comment regarding this proposed action, or to request a hearing pursuant to NRS 445B Air Pollution and NAC 445B Air Controls, should submit their comments or request in writing, either in person or by mail within thirty (30) days as outlined in the Notice of Proposed Action.

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 Preliminary Environmental Assessment for the Clan Alpine Horse Gather.

The Bureau of Land Management (BLM) Carson City District, Stillwater Field Office has prepared a Preliminary Environmental Assessment (PEA) for the Clan Alpine Horse Gather.

The project would occur in eastern Churchill County north of US Highway 50, in the Clan Alpine Mountains and surrounding area. The proposed action is to gather and remove excess

wild horses from within and outside the Clan Alpine HMA to achieve the established appropriate management level. The PEA analyzes the direct, indirect, and cumulative effects of implementation of the project.

In accordance with the National Environmental Policy Act (NEPA), the BLM is seeking public comments and input on this PEA and public input under Section 106 of the National Historic Preservation Act for the project to help inform the BLM's decision. This includes seeking information and identifying historic properties in or near the project area. The PEA will be available for a 30-day public review and comment period.

The 30-day public comment period is from June 16, 2023 to July 17, 2023. A copy of the PEA is available online on the ePlanning webpage at: <https://eplanning.blm.gov/eplanningui/project/2022686/510> and at the Carson City District Office.

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 that it has prepared a Preliminary Environmental Assessment for the Bench Creek Ranch Range Improvements.

The Bureau of Land Management has prepared a Preliminary Environmental Assessment (PEA) for Bench Creek Ranch Range improvements.

The Bureau of Land Management (BLM) provides notice that the purpose of this EA is to protect riparian areas and implement range improvements to assist with livestock distribution and improve rangeland health. The proposed projects would be implemented across Dixie Valley, Mountain Well La Plata and Salt Wells allotments. The Nevada Department of Wildlife has worked closely with the BLM to design these range improvements. Two alternatives are being analyzed in this PEA; the Proposed Action and the No Action Alternative.

In accordance with the National Environmental Policy Act (NEPA), the BLM is seeking public comments and input on this PEA and public input under Section 106 of the National Historic Preservation Act for the project. This includes seeking information and identifying historic properties in or near the project area. The PEA will be available for a 30-day public review and comment period.

The 30-day public comment period is from June 21, 2023, to July 21, 2023. A copy of the PEA is available online on the ePlanning webpage at: <https://go.usa.gov/xMjMy> and at the Carson City District Office.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

D- Governor's Office of Energy acknowledgement of Brady Power Partners Annual

Compliance Report and finding of Brady Power Partners to be in compliance with the terms of the Abatement Agreement.

The Governor's Office of Energy acknowledges Brady Power Partners Annual Compliance Report and find Brady Power Partners to be in compliance with the terms of the Abatement Agreement.

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: Adoption of Resolution 8-2023 assigning an additional portion of the ad valorem tax levy for Cooperative Extension for Fiscal Year 2023-2024, in the sum of .5 cents making a total of 1.5 cents.

The proposed Resolution sets forth the tax rate for support of the Cooperative Extension Program. The Budget and corresponding tax rate was prepared assuming the same tax rate from the current year, which is 1.5 cents. This Resolution is required by Nevada Revised Statutes.

FISCAL IMPACT: See Budget.

EXPLANATION OF IMPACT: The tax rate levy will support Cooperative Extension in Churchill County, Nevada.

FUNDING SOURCE: See Budget.

ACTION REQUESTED:

A RESOLUTION ASSIGNING AN ADDITIONAL PORTION OF THE AD VALOREM TAX LEVY IN SUPPORT OF THE COOPERATIVE EXTENSION FUND FOR FISCAL YEAR 2023-2024 AND OTHER MATTERS RELATING THERETO.

Comptroller Wideman 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 adopt Resolution 8-2023 assigning an additional portion of the ad valorem tax levy in support of Cooperative Extension for Fiscal Year 2023-2024 and directing the Comptroller to include it in the Final Budget to the Department of Taxation as required by Nevada Revised Statutes. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

1:25 PM B- Consideration and possible action re: Approval of Resolution 23-2023 adopting and certifying Churchill County's Tax Rate for Fiscal Year 2023-2024.

At the Commissioners' meeting held on May 17, 2023, Comptroller Wideman presented the proposed FY23-24 Churchill County tax rate of \$1.2829 and the final budget. During the meeting, the final budget and tax rate were approved by the Board of County Commissioners. The overall Churchill County tax rate is \$2.8629 and the City of Fallon rate is \$3.6600.

Once the Nevada Tax Commission certifies the ad valorem rates, the board is required to certify

the combined tax rate in a resolution pursuant to NRS 361.460. The letter from the Nevada Tax Commission is provided for the board's consideration.

FISCAL IMPACT: As budgeted.

EXPLANATION OF IMPACT: As budgeted.

FUNDING SOURCE: Churchill County Funds.

ACTION REQUESTED: Accept

This item was withdrawn prior to the meeting.

C- Consideration and possible action re: Publication of Summary Fiscal Report as required by Nevada Administrative Code (NAC) 354.561.

Nevada Administrative Code 354.561 requires the publication of a summary fiscal report before July 1st of each year. The report is to show the total actual revenues and expenditures, the estimated current year revenues and expenditures, and the budgeted revenues and expenditures for the General Fund. In addition, the proprietary funds shall include total operating and non-operating revenues and expenses for the actual, estimated current year and budget year. Please refer to the report for more details. The report was published in *The Fallon Post* on June 30, 2023.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Comptroller Wideman 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 note in the Minutes that the report has been filed and published in the local newspaper in accordance with NAC 354.561.

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

D- Consideration and possible action re: Notification of and approval of the apportionment of the Fiscal Year 2023 Federal Payment in Lieu of Taxes (PILT) in the amount of \$2,797,457.

Churchill County has recently received the annual Federal Payment in Lieu of Taxes. The following is a comparison of amounts received over recent years:

Fiscal Year	Amount
FY 23	\$2,797,457
FY 22	\$2,552,647
FY 21	\$2,492,770
FY 20	\$2,457,872
FY 19	\$2,346,920
FY 18	\$2,298,812

FY 17	\$2,260,796
FY 16	\$2,384,202
FY 15	\$2,003,488
FY 14	\$2,199,792
FY 13	\$2,053,174
FY 12	\$2,151,359

The amount budgeted was \$3,125,000 and is apportioned to the following funds:

Fund	Amount
General Fund	\$1,600,000
Parks & Recreation Fund	\$ 550,000
Public Library	\$ 250,000
Risk Management Fund	\$ 50,000
Compensated Absences Fund	\$ 175,000
Debt Service Fund	\$ 500,000

The Federal PILT payment was under the budgeted amount, resulting in (\$327,543) in less than anticipated revenue. There was an excess budget amount in the Debt Service Fund of (\$80,381) due to the USDA Letter of Conditions, only 15% of the Federal PILT is required. Of that excess amount, an additional \$50,000 to Parks & Rec for additional payroll and supplies costs, per the augmentation request. The remaining under budgeted amount will reduce the General Fund by (\$297,162).

FISCAL IMPACT: As outlined.

EXPLANATION OF IMPACT: As outlined.

FUNDING SOURCE: General Fund, Parks & Recreation Fund, Risk Management Fund, Compensated Absences Fund, Public Library, and Debt Service Fund.

ACTION REQUESTED: Accept

Comptroller Wideman 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 note the receipt of the FY 2023 Federal Payment in Lieu of Taxes (PILT) and to approve the apportionment to the funds as recommended by the Comptroller. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

E- Consideration and possible action re: Approval of a Water Rights Deed with G-M Fallon Land Investments, LLC returning banked water rights in the amount of 2.5 acre-feet.

G-M Land Investments, LLC entered into a Water Rights Banking Agreement with Churchill County in April of 2012 for the provision of water to the Fallon River Park project. The Water Rights Banking Agreement transferred 150.00 acre-feet of underground water rights to the county in contemplation of future development. The tentative subdivision map and development

project for River Park terminated in October of 2022 and the developer no longer wishes to continue with development. A total of 147.5 acre-feet of water from the banking agreement was previously transferred back to G-M Land Investments on February 2, 2023.

G-M Land Investments, LLC requested a return of 2.5 acre-feet of water. This request is authorized under the terms of the Agreement and the attached Water Rights Deed completes this transfer. The water rights are presently utilized at the Wild Goose Ranch property and notice will be provided to the tenant that the water has been transferred. The 2.5 acre-feet of water represent the full balance of water subject to this banking agreement.

FISCAL IMPACT: None.

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Civil Deputy District Attorney Joseph Sanford 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 and to direct the Chair to sign the Water Rights Deed with G-M Fallon Land Investments, LLC. Commissioner Myles Getto seconded the motion, which carried by unanimous vote.

F- Consideration and possible action re: Approval of job descriptions and pay ranges for positions within the Central Nevada Health District.

The Central Nevada Health District (CNHD) continues to need to fill positions that will help it achieve its goals. Their budget has already been approved for several positions which have not yet been filled. While the Board of County Commissioners (BOCC) has granted CNHD authority to fill those positions, ultimately, as it currently stands, the positions are Churchill County positions and staff is requesting the BOCC to approve the job descriptions and assign pay grades for these positions.

Presented for the Board's consideration are job descriptions for a CNHD Public Health Investigator and a CNHD Environmental Health Specialist. Much of the information contained in these job descriptions was gleaned from similar positions in other entities in Nevada, and has been approved by CNHD supervisory staff. To determine appropriate pay ranges, there are limited comparables within Nevada. Staff collected salary data from Carson City, the State of Nevada, and the Southern Nevada Health District to try to determine recommended pay ranges for the positions. Staff recommends the Public Health Investigator be assigned to Grade 53 (\$27.17 to \$36.55 hourly) and the Environmental Health Specialist be assigned to Grade 55 (\$28.52 to \$38.41 hourly).

In addition to the new job descriptions, as the CNHD begins operating, staff needs to modify current job descriptions to align with the needs of the District. Staff requests approval of the updated job description for CNHD Medical Assistant. There is no change in the pay grade for the position.

FISCAL IMPACT: \$0

EXPLANATION OF IMPACT: The positions were already budgeted in the FY24 budget for CNHD.

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Human Resources Director Geof Stark made this presentation as outlined above.

Chairman Scharmann asked if there was any public comment but there was none. He said what does a Public Health Investigator do? Director Stark said it would be more of a disease investigator. If there was an outbreak of some sort, they would do the contact tracing and the follow up and that sort of thing. County Manager Jim Barbee said traceability. We had a good time with that for about 3 years.

Commissioner Myles Getto made a motion to: (1) approve new job descriptions for the CNHD for the positions of CNHD Public Health Investigator and CNHD Environmental Health Specialist and to assign them to pay grades 53 and 55, respectively; and (2) to approve the job description for CNHD Medical Assistant as revised. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

G- Consideration and possible action re: Reappointment of Bob Getto to the TDR Sending Site Review Committee for another term.

The Churchill County Sending Site Review Committee reviews all Transfer of Development Rights (TDR) Applications, evaluates local entity comments, the Conservation Easement Deed, proposed restrictions, and verifies the TDRs. The committee provides a report and recommendation to the Churchill County Planning Commission, per Section 16.14.080 B of the Churchill County Code. The TDR Sending Site Review Committee is comprised of three (3) members, including a minimum of two agricultural representatives and one at-large representative, appointed by the Board of County Commissioners, who serve three (3) year terms. The Planning Director serves as the non-voting Chair of the committee.

Member Bob Getto's term ended on June 30, 2023 and he has indicated that he would like to continue serving. Mr. Getto has been a valuable member of the committee since its inception. Since he meets the qualifications, has experience, and provides a good balance to the committee, staff recommends that he be appointed to serve another three year term on the TDR Sending Site Review Committee. This recommendation is being made with consideration that the applicant 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

County Manager Jim Barbee 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 reappoint Bob Getto to serve another three year term on the TDR Sending Site Review Committee, effective July 1, 2023 to June 30, 2026. Commissioner Harry Scharmann seconded the motion, which carried by unanimous vote with Commissioner Myles Getto abstaining.

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: Transfer of funds to the City of Fallon, in the amount of \$900,000, from Regional Transportation Fund 280 for the Broadway/Sherman project (prior Fiscal Year).

The City of Fallon is requesting a transfer of funds for the first and final payment, in the amount of \$900,000, from Regional Transportation Fund 280 for the Broadway/Sherman project, utilizing Fiscal Year 2023 funds. These funds were previously encumbered and approved by the Regional Transportation Commission at the April 20, 2022 meeting.

FISCAL IMPACT: \$900,000 from Regional Transportation Fund 280-631-70800 (prior Fiscal Year).

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: \$900,000 from Regional Transportation Fund 280-631-70800 (prior fiscal year)

ACTION REQUESTED: Accept

C- Consideration and possible action re: Transfer of funds to the City of Fallon, in the amount of \$500,000, from Public Transit Fund 395 for the Broadway/Sherman project (prior Fiscal Year)

The City of Fallon is requesting a transfer of funds for the first and final payment, in the amount of \$500,000, from Public Transit Fund 395 for the Broadway/Sherman project, utilizing Fiscal Year 2023 funds. These funds were previously encumbered and approved by the Regional Transportation Commission at the April 20, 2022 meeting.

FISCAL IMPACT: \$500,000 from Public Transit Fund 395-881-70700 (prior fiscal year)

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: \$500,000 from Public Transit Fund 395-881-70700 (prior Fiscal Year).

ACTION REQUESTED: Accept

Commissioner Justin Heath made a motion to approve the Consent Agenda as submitted. Commissioner Myles Getto seconded the motion, which carried by unanimous vote. Chairman Scharmann asked if there was any public comment but there was none.

Consider Future Agenda Items:

There were no future Agenda items suggested.

Commissioner and Management Staff Reports:

Chairman Scharmann reported on the following topics:

- I attended the Walkathon for my grandson. It was well attended.
- I did a ride-a-long with Gary Fowkes. We looked at the work projects for the Road Department.
- I attended the flood meeting.
- I attended the CEDA meeting.
- I attended the NACO Board of Directors meeting.

Commissioner Heath had nothing to report.

Commissioner Getto had nothing to report.

County Manager Barbee reported on the following topics:

- We are connected with folks at the Ranch Harrah where some of that facility is moving to our 3C facility. We have been working on that without any authority but if it becomes of more substance, we will be bringing that forward to the Commissioners to take a look at. They have the cabinets installed now there in the entryway.
- I will be getting together with Mel from the Museum to see if we can get them to help us start staging that exhibit that is on loan from the University of Nevada, College of Agriculture.
- The Casey Road MHP is continuing to move through the closing process.
- You should check out the Cottage Schools. They have the second building being utilized except for the exterior paint. They have around 135 kids in that program. It continues to expand and be an asset to the community.
- I have a couple of meetings coming up with Senator Rosen talking about housing and looking at the weir.
- We will be requesting to go out of the Emergency Declaration at the next meeting. We will be asking for reimbursement of those costs expended on that.
- We have been working with the golf board. That have a few requests that they would like to see the county invest in. We will be bringing forward a request of appointments to that board representing the county. The Commission is responsible for appointing those members and I am not sure they have ever had a full appointed board since it was created in 2017, I think it was, so we will be getting that cleaned up.

Comptroller Wideman reported on the following topics:

- Happy new fiscal year.

Civil Deputy DA Sanford reported on the following topics:

- We will have an update for you on the Casey Road MHP closure at our next meeting.

Clerk/Treasurer Rothery reported on the following topics:

- New tax bills are being sent to the printer and then they will be mailed out.

Sheriff Hickox was not present.

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 10:07AM.

Approved:


Harry "Bus" Scharmann, Chairman

Approved:


Justin Heath, Vice-Chairman

Approved:


Myles Getto, Commissioner

ATTEST:

Linda Rothery, Clerk/Treasurer


Renae Paholke, Deputy Clerk