

MINUTES OF THE BOARD OF CHURCHILL COUNTY COMMISSIONERS

155 N. Taylor St., Fallon, NV 89406

July 19, 2023

Call to Order:

The regular meeting of the Board of County Commissioners was called to order at 1:17 PM on July 19, 2023.

PRESENT:

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 to the Board Pamela D. Moore
Sheriff Richard Hickox

ABSENT:

Commissioner Harry Scharmann

Pledge of Allegiance:

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

Public Comment:

Vice-Chairman Heath asked if there was any public comment but there was none.

Verification of the Posting of the Agenda:

It was verified by Pamela Moore, Deputy Clerk to the Board, that the Agenda for this meeting was posted on the 14th day of July, 2023, between the hours of 8:00 and 9:00 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:

Deputy Clerk Moore reported that Item 6 had been withdrawn because no Minutes were listed and item NB-H had been withdrawn because it was duplicative of action taken in the previous item. Therefore, the Agenda needs to be revised accordingly.

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:

This item was withdrawn and the Agenda was revised accordingly.

Appointments:

A. A- Consideration and possible action re: Update of current activities, plans, or actions related to the Bureau of Land Management's Carson City District.

Staff will provide an update of current activities, plans, or actions related to the Bureau of Land Management's Carson City District.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

John Mitchell, Acting Field Manager for the Stillwater Field Office, had the following PowerPoint presentation:



Geothermal Projects

- Diamond Flat – Writing and reviewing preliminary EA
 - BLM received comments from NV SHPO
 - BLM has requested some additional data based on SHPO comments
 - Once contractor has addressed comments, they will submit Draft Preliminary EA to BLM
- Wabuska (exploration)
 - Contractor is working on comments, will submit to BLM for review once comments are incorporated into the EA.
- Dixie Meadows – Still in discussions with USFW on BA
- Coyote Canyon (exploration) – Ormat collecting baselines, BLM is reviewing some of the baseline sections

NDAAs FRTC

- Trying to hire project manager to focus on implementation of FRTC
- BLM working through legislation which designated new SMAs, Wilderness, NCAs and grazing boundary changes

Wild Horse and Burro

- Marietta Burro Gather EA is complete, waiting on funding and ranking to conduct a gather
- Clan Alpine Horse Gather EA
 - Public comment period ended July 17, 2023
 - BLM compiling and addressing comments

We are also approved for the Desatoya HMA horse gather. It is a maintenance gather just to bring the population back down to a low AML. We will be doing that in the fall.

Vero Fiber Optic Line

- Vegas to Reno, project is being managed out of the NVSO with local office support
- 450-mile buried fiber optic line
- Approximately 58 acres of linear ROW
- Scoping period ended May 3, 2023
- Working through comments
- Draft EA to follow
 - July 11, 2023, BLM held field visit with local tribes
 - BLM and cooperators have provided comments to the draft biological baseline report



Green Link West—being managed out of the NVSO with support from office

- 477-mile transmission line between Reno and North Las Vegas
- Spans portions of Clark, Nye, Esmerelda, Mineral, Storey and Washoe Counties
- BLM anticipates release of the Draft EIS for 90-day public review and comment period in mid-2023
- BLM will publish a Notice of Availability in the Federal Register announcing the review and comment period
- Notification will also be made to local media and to parties on the project mailing list
- BLM National NEPA Register (link to project)
<https://eplanning.blm.gov/eplanning-ui/project/2017391/510>

The screenshot shows the BLM National NEPA Register interface. At the top, it says "BUREAU OF LAND MANAGEMENT" and "BLM National NEPA Register". The project title is "Greenlink West Transmission Project". Below this, there is a "Project Information" section with the following details:

Project Information	
NEPA Number	DOI-BLM-NV-0000-2022-0004-EIS
Project Name	Greenlink West Transmission Project
Project Type	Environmental Impact Statement
NEPA Status	In Progress Analysis & Document Preparation
Lead Office	State Office: NV
Last Updated	02/22/2023 15:12:35 MDT

On the left side of the page, there is a sidebar with navigation links: Home, Documents, Maps, and a "Last Updated" timestamp of 2/22/2023 14:12:36 MDT.

I did not receive a report from the state office on the Green Link West. When I do I will give you an update on that.

County Line NOI

- Located approximately 10 miles South of Gabbs
- Formerly in the Paradise Peak Mine Com
- Operations proposed are within Former Paradise Peak Mine footprint



Other Projects

- VORRA Fallon Race SRP (Churchill County) – Race event completed last weekend

- Sierra Trail Dog SRP (Mineral County) – non-race event completed last weekend

- Bench Creek Range Improvement Projects EA (Churchill County)
 - Out for public review and comment
 - Comment period closes July 21, 2023
 - Link to the project - <https://eplanning.blm.gov/eplanning-ui/project/2015787/510>

- Paine Grazing Permit Renewal
 - Baselines surveys complete
 - Working on preliminary EA

My detail was scheduled to end at the end of the month but has been extended for at least another month trying to provide time for the office to conduct interviews and get somebody in the position to reduce the vacancy.

Vice-Chairman Heath asked if there was any public comment but there was none. County Manager Barbee said we have volunteers that work through the museum that have been working on, I am sure you are aware of all this, but just to get confirmation or not, we have volunteers that give tours to the Hidden Caves and as part of the BLM process or updated process, folks have to, I think, go through background checks and hiring protocols with the BLM, like any other employee and now those are in Carson City where, previously, we did not have to have those volunteers travel to Carson City. When I talked about the issue, these are volunteers. We are just trying to get them on the approved list to do the tours and we were told that they had to pay their way and go Carson City and go through this employee enrollment thing. When I talked to Kim about it, she said we could use some existing grant that we have that would basically pay the per diem. Personally, I am hoping that we can put everybody in one vehicle and maybe cheapen it up and get the biggest bang for our buck. Have you had any conversations about this because we are down on numbers of volunteers, as I understand it, and it is because we can't get through the process of getting them to Carson City and getting them certified, employee checked, whatever that is. John Mitchell said it is an agreement that we have with the museum. At this point, the audio failed for a minute or so and his speech was not captured. This item was presented for informational purposes only and no action was taken.

B- Consideration and possible action re: Update and Final Report on 2023 Nevada Legislative Session.

John Ocegüera will provide a final report for the recently concluded 82nd Nevada Legislative session.

FISCAL IMPACT: N/A; informational only

EXPLANATION OF IMPACT: N/A; informational only

FUNDING SOURCE: N/A; informational only

ACTION REQUESTED: Accept

John Ocegüera, Strategies 360, said the 2023 Nevada Legislative Session was a "return to normal" in many aspects. The legislative building was open to the public, which was a contrast to the 2021 Session when the building was closed to the public for most of the session as the world was still in the grip of the COVID-19 pandemic. We did not get back into the building until about 30 days prior to the end of the session. A lot of Legislators had not been lobbied, hadn't seen people live and in person, so we came into the 2023 Session with that being a little bit of an unusual occasion for them. That made it interesting. In 2021, we were cutting budgets because we had no idea how long COVID was going to go on. Unlike the 2021 Session, during which budget cuts and other pandemic-related issues were the focus, the 2023 Session seemed flush with above normal amounts of money to spend. In 2021, the Legislature approved \$9.2 billion in spending for the two-year budget from July 1, 2023, to June 30, 2025. This session, based on the May projections of the Economic Forum, the Legislature had \$11.6 billion to appropriate. A lot of Legislators were new. There was a lot of education that needed to be done and a lot of catching up because we were not able to talk to them in person. That made this really interesting. The 82nd Legislative Session was very successful for rural communities. We saw legislation signed into law addressing rural health care, aviation, and education issues.

We started out tracking 104 bills for Churchill County. That got narrowed down, in the end, to just a few but there is a lot of work that goes into tracking those. Your staff is instrumental in tracking what affects Churchill County. The Legislature was comprised of both houses being Democrat and the governor being Republican. The Senate was one vote short of a super-majority and the Assembly had a super-majority, so that made for an interesting dynamic.

Governor Joe Lombardo vetoed 75 bills, which is the largest number of vetoed bills in a session in Nevada history. The previous record was set by Governor Gibbons in 2009 when he vetoed 48 bills. None of the 32 bills that were vetoed and returned during the 2023 Session were overridden and 43 bills were vetoed after the Legislature adjourned, so they will be returned to the 2025 Session for the Legislature to possibly override. There is a possibility that both houses of the Legislature will be super-majority Democrat in the next session, so there is a potential that those 43 bills that were overridden could be overridden again in 2025. Your Legislative team did a great job meeting with Legislators and developed strong relationships with the stakeholders in all circumstances. Mostly, we tried to make sure that we were protective of Churchill County and looked at legislation that could harm Churchill County. There was quite a bit of focus on health care, as you all know.

AB 432 allows for telemedicine services for optometry. It came from one of your former colleagues here. He did an amazing job at the Legislature. He said he knew it would be challenging being in the minority. He did a great job working both sides of the aisle and actually passing quite a few bills. I would like to give him kudos. There were some bills that would have negatively affected Churchill County and, if he didn't have a good relationship, you may not have gotten the same results.

SB 118 will provide approximately \$4 per capita of funding to public health agencies to address community needs and priorities. This bill is essential for implementing the Central Nevada

Health District that will serve and be located in Churchill County. This massive win for rural communities will ensure improved health care funding for our state.

SB 336 was used to allow Certified Registered Nurse Anesthetists to administer controlled substances, poisons, dangerous drugs, and devices to treat a patient under the care of a licensed physician.

AB 58 was amended to include language for funding rural airports and to ensure that the Nevada Air Service Development Commission has representation from rural counties.

There was a water bill we supported and you all know how difficult water bills are to pass. Unfortunately, AB 387 did not pass. I can tell you there were a bunch of people involved in that, in a fully packed room that just could not come to consensus.

Ironically, the most controversial bill was the sundown siren bill. Having grown up here, I am very familiar with our noon siren and our emergency sirens. There are some counties that use that siren for different reasons. That was a very heated battle. We spent an amazing amount of time on that bill. We were able to come up with a compromise that allowed us to continue to use those sirens for what they were designed for.

Vice-Chairman Heath asked if there was any public comment but there was none. County Manager Jim Barbee said we appreciate all the work you have done. This item was presented for informational purposes only and no action was taken.

C- Consideration and possible action re: Approval of the Updated/Amended Churchill County Indigent Defense Plan for FY24.

NRS 260.010(7)(b) & NRS 260.070(2) requires that the Board of County Commissioners provide an annual report to the Department of Indigent Defense Services. The report must include any information requested by the department concerning the provision of indigent defense services in the county and must include the plan for the provision of indigent defense services for the next fiscal year. This updated plan now includes the statutorily required references to the Fallon Municipal Court, to ensure that the County Plan remains in compliance with the provisions of law related to the County Office of Public Defender and representation of indigent municipal court defendants entitled to an attorney.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: General Fund.

ACTION REQUESTED: Accept

Public Defender Jacob Sommer made this presentation as outlined above.

Vice-Chairman Heath asked if there was any public comment but there was none.

Commissioner Myles Getto made a motion to approve the Churchill County Indigent Defense Plan for FY24. Commissioner Justin Heath seconded the motion, which carried by

unanimous vote.

D- First Reading - Consideration and possible action re: Bill 2023-A, Ordinance 32, an ordinance amending provisions of Title 16, Consolidated Development Code of the Churchill County Code, which amends the use table for zoning districts to clarify the zones in which certain vehicles and vehicle accessories may be sold, establishes the permitting process under which certain vehicle and vehicle accessories may be sold, and provides for other matters related thereto.

The Churchill County Development Code and the associated Land Use Table identify the uses, permit process, and specific limitations for developing property within the County. Most uses require at least a zoning review, with many of the more complex commercial operations requiring a special use permit.

This Ordinance relates specifically to the zoning regulations for vehicle/trailer sales and rentals. Presently, the code authorizes the sale of small personal vehicles with a zoning review in the C-1, C-2, and I zoning districts. The sale/rental of any vehicle larger than a passenger vehicle, including RV's, is only permissible by special use permit in the C-2 and I zoning districts. This Ordinance adds a new section of specialized vehicles that nestles between the review-only passenger vehicle zone and the appropriately restricted large construction vehicle zone. In particular, the specialized vehicles/trailer sales and rental section will authorize the sale of RVs, horse trailers, dump trailers, etc. in the C-1, C-2, and I zones through an administrative special use permit. The Ordinance further updates and clarifies the definitions and examples of vehicles within the zones to inform the public of the appropriate process when considering the purchase/use of land.

This action is for a first reading of the summary of the Ordinance and the setting of a public hearing for August 3, 2023.

FISCAL IMPACT:

EXPLANATION OF IMPACT:

FUNDING SOURCE:

ACTION REQUESTED: Accept

Bill 2023-A Ordinance 32

TITLE: AN ORDINANCE AMENDING PROVISIONS OF TITLE 16 CONSOLIDATED DEVELOPMENT CODE OF THE CHURCHILL COUNTY CODE.

SUMMARY: THIS ORDINANCE AMENDS PROVISIONS OF TITLE 16 CONCERNING THE CONSOLIDATED DEVELOPMENT CODE. IT AMENDS THE USE TABLE FOR ZONING DISTRICTS TO CLARIFY THE ZONES IN WHICH CERTAIN VEHICLES AND VEHICLE ACCESSORIES MAY BE SOLD, ESTABLISHES THE PERMITTING PROCESS UNDER WHICH CERTAIN VEHICLE AND VEHICLE ACCESSORIES MAY BE SOLD, AND PROVIDES FOR OTHER MATTERS RELATED THERETO.

Joseph Sanford made this presentation as outlined above.

Vice-Chairman Heath asked if there was any public comment but there was none.

**Commissioner Myles Getto made a motion to set a public hearing for August 3, 2023.
Commissioner Justin Heath seconded the motion, which carried by unanimous vote.**

1:55 PM E- Consideration and possible action re: Approval of the Churchill County Debt Management Policy for Fiscal Year 2023-2024.

The purpose of the Churchill County Debt Management Policy is to manage the issuance of Churchill County's debt obligations and to maintain the county's ability to incur debt, maintain good credit ratings and other long-term obligations at favorable interest rates for capital improvements, facilities, and equipment beneficial to the county and necessary for essential services.

It should be recognized that there are no predetermined debt level/credit rating formulas available from the rating agencies. Many factors are involved. To arrive at a credit rating judgment regarding an issuer's credit worthiness, the rating agencies analyzed the issuer in four interrelated areas: economic base, debt burden, administrative management, and fiscal management.

FISCAL IMPACT: The County revenue bond debt went from \$22,303,862 to \$22,148,757 during the fiscal year ending June 30, 2023, with a capital lease balance of \$4,920. CC Communication's revenue bond debt went from \$14,658,000 to \$14,022,000 as of June 30, 2023.

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Comptroller Wideman had the following PowerPoint presentation:

Key Elements in Policy

- **Protection of Bond Ratings**
Finite capacity to issue debt at a given credit level
4 Areas of interest: Economic Base, Debt Burden, Administrative Management & Fiscal Management
- **Current Debt Positions**
- **Debt Service Requirements** Principal & Interest
- **Future Capital Projects**

Current Outstanding Debt

General County Debt

Jail Construction Loan - USDA 2.75%

Revenue Bond Series 2017A \$ 7,725,865

Revenue Bond Series 2017B \$ 5,533,638

Civic Center Construction Loan 2.35%

Revenue Bond Civic Center \$ 8,339,000

\$21,598,503

Enterprise Funds

USDA Well Loan Water Utility Fund 1.5%

Revenue Bond Redundant Well \$ 550,254

CC Communications

Revenue Bond 2.185% \$ 5,308,000

Revenue Bond 3.390% \$ 8,714,000

\$14,572,254

Total Outstanding Debt

\$36,170,757

Debt Payments FY 2023 & 2024

County Annual payments:

	Principal	Interest	Total
2023	\$705,360	\$575,082	\$ 1,280,442
2024	\$722,713	\$558,058	\$ 1,280,771

Water Utility Fund Annual payments:

	Principal	Interest	Total
2023	\$ 7,746	\$6,222	\$ 13,968
2024	\$10,419	\$8,205	\$ 18,624

CC Communications Annual payments:

	Principal	Interest	Total
2023	\$636,000	\$382,962	\$ 1,018,962
2024	\$653,000	\$411,384	\$ 1,064,384

Total 2024 \$1,386,132 \$977,647 \$2,363,779

Debt Collateral Summary

General County Debt:

Jail and Civic Center Financing

Secured by:

Maturity date: December 29, 2049 and April 1, 2041 totaling \$21,598,503
Balance in Debt Service fund \$3.05 million as of 6/30/2023

.25% Sales Tax Infrastructure

15% Federal PILT

15% Geothermal Rents

CC Communications and Utility Fund Debt:

Total \$14,572,254

Supported by user fees

Possible Future Projects

- District Court Expansion
- County Wastewater System Improvements
- Economic Development of Industrial/Commercial
- Library and Museum Expansion
- Parks & Recreation Capital Projects
- Road Equipment and Road Projects
- Land, TDR and Water Right Acquisitions

Vice-Chairman Heath asked if there was any public comment but there was none.

Commissioner Myles Getto made a motion to approve Churchill County's Debt Management Policy for Fiscal Year 2023-2024 and to provide copies to the Department of Taxation and the local Debt Management Commission as required by statutes. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

F- Consideration and possible action re: Ratification of a comment letter to the Bureau of Land Management on the Preliminary Environmental Assessment for the Clan Alpine Horse Gather.

The proposed action is to gather and remove excess wild horses from within and outside the Clan Alpine Herd Management Area to achieve the established appropriate management level. The Preliminary Environmental Assessment 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/eplanning-ui/project/2022686/510>. Attached is a copy of the county's comment letter submitted by the

deadline.

In January 2023, the County provided a scoping comment for this project in support of a proposed gather of horses over the current appropriate management level.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Jeremy Drew, Resource Concepts, Inc., said before you is a comment letter that we submitted in a timely manner because, unfortunately, this was a 30-day public comment period, so this is before you for ratification today. The letter is consistent with our scoping comments and the Master Plan. Essentially, what we are doing is supporting a wild horse gather in the Clan Alpine Herd Management Area. The current model population is almost 1,700 horses and the AML ranges from 612 to 979. It is significantly overpopulated. We indicated in the letter that we support the action alternatives and do not support the no action option. We also advocate for getting to the AML as quickly as possible.

Vice-Chairman Heath asked if there was any public comment but there was none.

Commissioner Myles Getto made a motion to ratify the comment letter to the Bureau of Land Management on the Preliminary Environmental Assessment for the Clan Alpine Horse Gather. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

G- Consideration and possible action re: Approval of a comment letter to the Bureau of Land Management on the Preliminary Environmental Assessment for the Bench Creek Ranch Range Improvements Project.

The Bureau of Land Management (BLM), Stillwater Field Office in Carson City, Nevada, has prepared a Preliminary Environmental Assessment (PEA), Bench Creek Ranch Range Improvements, EA# DOI-BLM-NV-CO10-2021-0025-EA.

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/xMjMv> and

at the Carson City District Office.

In October 2021, the county provided a scoping comment in support of the project and providing comment that those aspects of the project in Dixie Valley needed to be consistent with the County's pending groundwater applications.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Jeremy Drew, Resources Concepts, Inc., said this letter is before you for possible approval. Bench Creek Ranch has been looking to develop a whole series of range improvement projects, primarily around improving and protecting water and spring sources, as well as developing and repairing some wells and replacing some existing pipeline. The purpose of all this is to better distribute their cattle on their 3 allotments, which run from Salt Wells and the Sand Mountain area across Dixie Valley and into the Clan Alpine Range. This is a project we support. We get to ask the BLM to be mindful of, not only our Master Plan, which I think the project is consistent with, but also our Water Management Plan and any improvements or any water developments consistent with the state water laws. We are advocating support for the proposed action and we have some specific comments on their analysis throughout.

Vice-Chairman Heath asked if there was any public comment but there was none.

Commissioner Myles Getto made a motion to approve the comment letter to the Bureau of Land Management on the Preliminary Environmental Assessment for the Bench Creek Ranch Range Improvements Project. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

Letters Received:

A- Nevada Division of Environmental Protection's notification that it has reviewed the Release Response Report for Omaha Track Railroad Tie Yard in Hazen, Nevada.

The Nevada Division of Environmental Protection (NDEP) has reviewed the Release Response Report dated November 21, 2022 and the Additional Environmental Site Assessment Report dated June 20, 2023. The reports were prepared by Caitlin Jelle, Certified Environmental Manager (CEM) of McGinley and Associates, Inc on behalf of Omaha Track. This letter provides a no further action determination for the release of petroleum hydrocarbons and petroleum hydrocarbon constituents to soil resulting from the long-term storage of creosote-treated railroad ties and a fire that occurred in September 2022 at the above-referenced facility (Site) and applies to other places contaminants related to this release have come to be located (NAC 445A.3452).

The Release Response Report documents initial abatement and remediation activities of surficial impacts at the Site following the September 2022 fire. Surficial soil samples collected across the facility contained total petroleum hydrocarbons (TPH) above the State action level of 100 milligrams per kilogram (mg/kg) and petroleum hydrocarbon constituents benzo(a)anthracene

and benzo(a)pyrene above the NDEP Analyte Specific Closure Levels for industrial site use.

The Additional Environmental Site Assessment Report documents soil and groundwater sampling conducted at the site to characterize impacts at depth based on the elevated contaminant concentrations previously discovered in surficial soil. The Additional Environmental Site Assessment Report concludes that, while surficial soil contains elevated concentrations of benzo(a)anthracene and benzo(a)pyrene, soil samples collected below a depth of 2.5 feet do not contain contaminant concentrations above the NDEP Analyte Specific Closure Levels for industrial site use. Additionally, contaminant concentrations in groundwater are either low or non-detected and do not exceed any established Environmental Protection Agency (EPA) Maximum Contaminant Levels (MCLs). The Release Response Report and the Additional Environmental Site Assessment Report contain a request for a no further action determination from the NDEP.

The NDEP has reviewed information contained in the Corrective Action file that has been provided by Omaha Track and Caitlin Jelle, CEM. Based on this review, benzo(a)anthracene and benzo(a)pyrene remain above industrial action levels or remediation standards in soil. However, based on current land and groundwater uses, NDEP has determined that no further assessment or remediation is required to be protective of human health and the environment (NAC 445A.227(2)).

NDEP may re-evaluate this decision if conditions at the site change or if new or previously identified information becomes available that alters the results of the site evaluation and demonstrates a potential detrimental impact on human health or the environment.

If you have any questions or need further assistance , please contact 775-687-9383 or rwood@ndep.nv.gov.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

B- Nevada Division of Environmental Protection's Response to Release/Spill information Report and proposed further actions from US Silica, 10210 Old Highway 40, Fallon, Nevada.

The Nevada Division of Environmental Protection (NDEP) received notification on June 13, 2023 of a Release/Spill (Release) of contaminants at the above-described property. A transfer pump between an aboveground storage tank (AST) and an oil-burning kiln malfunctioned, causing a backup and overflow of oil in the AST. As a result, approximately 400 gallons of oil was released to the earthen containment area surrounding the AST. Because this Release appears to have resulted in contamination and exceeds limits or quantities established by Nevada Administrative Code (NAC) 445A.347 or 445A.3473, you are required to provide an evaluation of the release per NAC 445A.2269 and NAC 445A.227.

Accordingly, you are required to provide one of the following reports within 45 days from the

date of this letter, and no later than August 10, 2023:

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

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

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

If you have any questions or need further assistance, please call 775-687-9496 or email rwood@ndep.nv.gov.

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: Amendment to the Memorandum of Agreement between Churchill County and the State of Nevada, Department of Veterans' Services, for the use of office space in the Churchill County Annex building.

The county and the State of Nevada, Department of Veterans Services (NDVS), have a Memorandum of Agreement (MOA) in place for the use of office space in the Churchill County Annex Building, located at 485 W. B Street, Fallon, NV and referred to in Exhibit "A" of the Agreement executed on July 7, 2022. The current MOA went into effect July 1, 2022 and runs through June 30, 2024. Due to space needs to accommodate the Central Nevada Health District operations, County Manager Barbee spoke with the Department of Veterans Services Director Fred Wagar about reducing the office space for NDVS. One of the offices was not being used by NDVS. This amendment replaces Exhibit "A" with a new map of the annex building floorplan, which depicts the "Leased Premises". No other revisions to the MOA were made.

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.

Vice-Chairman Heath asked if there was any public comment but there was none.

Commissioner Myles Getto made a motion to approve the amendment to the

Memorandum of Agreement with the State of Nevada Department of Veterans' Services and authorize the County Manager to execute. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

B- Consideration and possible action re: Adoption of Resolution 24-2023 terminating the State of Emergency in Churchill County due to the threat of flooding.

On March 2, 2023, the Churchill County Board of County Commissioners declared an emergency to mitigate the potential impacts of flooding due to a historic spring run-off. The Board of County Commissioners, the City of Fallon, Truckee Carson Irrigation District, and Bureau of Reclamation collaborated tirelessly to ensure the safety and well-being of all the residents of Churchill County. Several major construction projects were included in resolving this threat, including the Big Berm and construction of an expanded weir facility. The extraordinary efforts of all County personnel were instrumental in ensuring that no major property damage occurred due to the excess run-off, and their efforts are recognized.

At this time, no further emergency management operations are needed to control the flows into and out of the Lahontan reservoir, which is being maintained between 290,000 and 300,000 acre-feet. This resolution formally terminates the state of emergency.

FISCAL IMPACT: None

EXPLANATION OF IMPACT:

FUNDING SOURCE:

ACTION REQUESTED: Adopt

A RESOLUTION TERMINATING THE STATE OF EMERGENCY IN CHURCHILL COUNTY, NEVADA DUE TO THE THREAT OF FLOODING.

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

Vice-Chairman Heath asked if there was any public comment but there was none.

Commissioner Myles Getto made a motion to adopt Resolution 24-2023 terminating the State of Emergency in Churchill County due to the threat of flooding. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

C- Consideration and possible action re: Final approval of a real estate purchase agreement for property located at 2255 Casey Road, Fallon, Nevada, Assessor's Parcel Number: 008-361-11.

The board had previously ratified the county's entry into a purchase agreement for the property on June 21, 2023. Staff has reviewed the disclosures provided for the property, confirmed the titles of all mobile homes on the property, and reviewed the leases associated with the property. In addition, a certified real estate appraisal was performed by Tom Riggins valuing the property at \$425,000.

All legal requirements set forth in NRS have been completed and escrow is scheduled to close on Friday, July 21, 2023, with permission by the County Commission.

FISCAL IMPACT: \$425,000, plus closing costs.

EXPLANATION OF IMPACT: As outlined.

FUNDING SOURCE:

ACTION REQUESTED: Accept

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

Vice-Chairman Heath asked if there was any public comment but there was none.

Commissioner Myles Getto made a motion to approve the purchase agreement for property located at 2255 Casey Road, Fallon, NV, APN: 008-361-11, and to direct the County Manager to sign all necessary documents to complete the purchase. 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 meeting was recessed at 2:00 PM.

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

The regular meeting reconvened at 2:21 PM.

New Business:

8:50 AM A- Consideration and possible action re: Ratification of the Collective Bargaining Agreement between Churchill County and the Churchill County Sheriff's Deputies' Association (Deputies and Sergeants Units).

The current Collective Bargaining Agreements (CBAs) between Churchill County and the Churchill County Sheriff's Deputies' Association (CCSDA) – Deputies and Sergeants Units – expired on July 9, 2023. As required under the NRS, CCSDA notified the county of its desire to begin negotiations on a successor Bargaining Agreement for the Deputies and Sergeants. Negotiations began on June 22, 2023, and were tentatively completed on July 12, 2023.

Both sides negotiated in good faith. The management team thanks CCSDA for their professionalism and active participation throughout the process.

The end result of negotiations was a two-year agreement. More details regarding the Agreement will be supplied under separate cover.

FISCAL IMPACT: Fiscal Impact was still being calculated at the time the agenda report had to be submitted and initiated. Further information will be supplied under separate cover.

EXPLANATION OF IMPACT: Fiscal Impact was still being calculated at the time the agenda report had to be submitted and initiated. Further information will be supplied under separate cover.

FUNDING SOURCE: General Fund.

ACTION REQUESTED: Accept

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

Vice-Chairman Heath asked if there was any public comment but there was none. Paul Loop, Sheriff's Department, said I am happy everybody was able to come to an agreement for a 2-year period. As always, it is interesting to see how the entire negotiations go and even more interesting when you bring in 3rd parties that are doing the majority of the negotiating for you. It was a whole new avenue for us. Hopefully, we can continue to work as one unit as a county goes.

Commissioner Myles Getto made a motion to approve the negotiated Collective Bargaining Agreement between Churchill County and the Churchill County Sheriff's Deputies' Association (Deputies and Sergeants Units), effective for Fiscal Years 2024 and 2025. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

B- Consideration and possible action re: Approval to begin planning and solicit contracts for the conversion of unused space in the old jail to an evidence vault for the Sheriff's Office.

The Churchill County Law Enforcement Center opened in December of 2017, representing a major upgrade in jail and operations facilities for the Churchill County Sheriff's Office. The old jail located at 73 N. Maine St on the first level of the District Court building has remained empty and unused in the intervening years. Staff has identified this space as a functional location to store evidence and other items for the Sheriff's Office in a secure manner with some minor modifications.

The construction of the new District Courthouse has necessitated the demolition of the current Sheriff's Office annex building. This Commission has previously authorized the evaluation and planning of an addition to the law enforcement complex to meet the needs of the Sheriff's Office for evidence storage and operations. The cost of such an expansion was estimated at nearly \$1 million dollars. To meet the rising costs of labor, conversion of the existing facility space instead of building new facilities is fiscally necessary.

Staff is requesting to begin planning, receive cost estimates, and solicit contracts to convert the old jail space into an evidence vault, or similarly functional space, for use by Sheriff's Office. Input will be solicited from the Sheriff to ensure that the needs of his office are met.

FISCAL IMPACT: Unknown at this time.

EXPLANATION OF IMPACT: Fiscal savings/expenditures will be clearer once plans and estimates of the renovation are obtained.

FUNDING SOURCE:

ACTION REQUESTED: Accept

County Manager Jim Barbee made this presentation as outlined above. Civil Deputy District Attorney Joseph Sanford said any contract that actually gets solicited will come back before this board for approval. This discussion is largely to address direction from the board as to how they would like to proceed as far as conversion of space and the needs of the Sheriff's Office.

Vice-Chairman Heath asked if there was any public comment but there was none.

Commissioner Myles Getto made a motion to direct staff to begin planning and solicit contracts for the conversion of unused space in the old jail to an evidence vault for the Sheriff's Office, as well as modifying the L-shaped building on A Street for interview rooms. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

C- Consideration and possible action re: Reappointment of Jim Curran to the Churchill County Advisory Board to Manage Wildlife.

County Advisory Boards to Manage Wildlife (CABs) are appointed by County Commissioners from all 17 Nevada counties to serve three (3) year terms. The County Advisory Boards (CABs) to Manage Wildlife are responsible for advising the Nevada Wildlife Commission, particularly with the setting of seasons and limits for their respective counties. CABs advise the Wildlife Commission by gathering information from area sportspersons and local input through meetings in their respective counties. Members on the CABs should be selected with the intent to provide representation from a cross-section of the county, to ensure that all major viewpoints are examined, and that any faction or special interest group does not dominate the CAB. Nevada Revised Statute (NRS) 501.297 – NRS 501.303 governs the County Advisory Boards to Manage Wildlife.

Jim Curran was appointed to the Board to Manage Wildlife on September 4, 1997 and has expressed a desire to continue serving. The Chair of the County Advisory Board to Manage Wildlife, Peggy Hughes, has expressed a desire to have Mr. Curran reappointed to another term.

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.

Vice-Chairman Heath asked if there was any public comment but there was none.

Commissioner Myles Getto made a motion to reappoint Jim Curran to serve a 3-year term on the Churchill County Advisory Board to Manage Wildlife, effective August 1, 2023

through July 31, 2026. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

D- Consideration and possible action re: Approval of a Joint Funding Agreement with the U.S. Geological Survey (USGS) for the Carson River Basin Groundwater Levels and Water Quality Monitoring in the amount of \$9,300 for Fiscal Year 2024 and \$9,750 for Fiscal Year 2025.

The county has been a funding partner with the U.S. Geological Survey (USGS) to monitor water level trends of the shallow, intermediate, and basalt aquifers related to land-use and management changes within Churchill County for more than twenty years. Programs such as this provide long-term critical data collection that helps us understand and manage our water resources.

Our last joint funding agreement with the USGS was for the period July 1, 2018 through June 30, 2022, with USGS providing a no-cost one-year extension through June 30, 2023. In January 2023, USGS approached the county to communicate their desire to apply for funds through the Carson Water Subconservancy District, which has also been one of the joint funders of this ongoing study. Budgetary resources were also requested within the county's water resource fund in the FY24 budget to continue this monitoring program. For the new joint funding agreement, the program was named the "Carson River Basin Groundwater-Levels and Water-Quality Monitoring", as there are elements being combined from monitoring in Douglas and Lyon Counties, the Middle Carson, and the Newlands, all of which are part of the Carson River Basin. However, the objectives of each project will still be maintained, but the combination will promote having a watershed perspective on groundwater trends. Furthermore, it serves to streamline USGS groundwater-level and water-quality data collection efforts in the Carson River Basin and it provides a single USGS point of contact for CWSD and Churchill County to more efficiently receive communication on data trends. The new agreement would also bring the current offset timing of the three agreements onto the same schedule and simplify the management of Carson River Basin agreements for the CWSD and Churchill County. The agreement would go into effect retroactively July 1, 2023 through June 30, 2025, with a total of \$9,300 being provided by Churchill County for Fiscal Year 2024 and \$9,750 in Fiscal Year 2025. CWSD will also be providing the same contribution as the county, with USGS as the largest funding contributor committing \$27,700 over the two-year period.

FISCAL IMPACT: FY2024: \$9,300; FY2025: \$9,750; Total = \$19,050 over two fiscal years.

EXPLANATION OF IMPACT: USGS was in contact with the county in advance of their application to the Carson Water Subconservancy District, so funds were requested and approved in the county's water resources budget for this program.

FUNDING SOURCE: Water Resources / USGS WL & QUAL Monitoring: 380-380-55794.

ACTION REQUESTED: Accept

Julie Guerrero, Administrative Services Manager, made this presentation as outlined above.

Vice-Chairman Heath asked if there was any public comment but there was none.

Commissioner Myles Getto made a motion to approve the joint funding agreement with

the USGS for the Carson River Basin Groundwater Levels and Water Quality Monitoring Program Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

E- Consideration and possible action re: Approval of Various Job Descriptions for Public Works, Planning, and the Clerk/Treasurer's offices.

With the approval of the FY 24 budget, several new positions in the county were created. The positions and their assignment to pay ranges has already been approved, but job descriptions are in the process of being developed. Some of those job descriptions are presented at this meeting. There are no requests to modify pay ranges for any of the positions included in this agenda item.

- Planning Technician is almost identical to the job description the county had for the position previously. Public Works Director Chris Spross has reviewed the job description and indicates it meets the needs of the department.
- Senior Deputy Clerk/Treasurer is a new lead position within the Clerk/Treasurer's Office. The new job description reflects the lead responsibilities, along with the full job duties of the Deputy Clerk/Treasurer. Linda Rothery, Churchill County Clerk/Treasurer has provided input and is in agreement with the job description.
- Senior Cemetery Maintenance Worker is a new lead position at the Cemetery. The job description has incorporated some of the lead functions into the regular maintenance duties that are performed at the Cemetery.
- Fleet Services Mechanic is a new lead position at the Road Department. The job description has incorporated lead functions into the regular fleet services duties that are performed at the Road Department.

In addition to the new job descriptions listed above, last year, at Linda Rothery's request, staff reviewed the duties performed by the Deputy Clerk/Treasurer position and the Deputy Clerk to the Board. Based on the input received, modifications were made to the job descriptions. Ms. Rothery has reviewed these revised job descriptions and given her approval of the changes.

FISCAL IMPACT: \$0

EXPLANATION OF IMPACT: All positions have already been approved and budgeted. There are no fiscal impacts.

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Human Resources Director Stark made this presentation as outlined above.

Vice-Chairman Heath asked if there was any public comment but there was none.

Commissioner Myles Getto made a motion to (1) approve new job descriptions for Planning Technician, Senior Deputy Clerk/Treasurer, and Senior Cemetery Maintenance Worker and to approve revised job descriptions for Deputy Clerk/Treasurer and Deputy Clerk to the Board. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

F- Consideration and possible action re: Ratification of a Commercial Real Estate

Purchase Agreement for property at 270 S. Maine Street, Fallon, Nevada in the amount of \$495,000.

Churchill County has identified a prime piece of commercial real estate off Maine St. to be used as the headquarters for the Central Nevada Health District. The property is nearly 11,000 sq-ft between two large buildings. The primary building APN 001-524-08 provides significant commercial office space, and was renovated approximately fifteen years ago. Many of the required code upgrades and ADA compliance requirements for the building are already complete. The secondary building, APN 001-524-15 is in need of repair, but is intended to serve as a storage facility for County use. In addition, there is a small parking lot adjacent to the secondary building.

The cost of the buildings averages slightly over \$50 per sq-ft and is significantly cheaper than the cost of new construction. The State of Nevada has provided grant money to the County for a health district building totaling nearly \$1.6 million dollars. Moving forward with this building will accelerate the timeline to provide a move-in ready building and reduce the potential risk of state claw backs.

FISCAL IMPACT:

EXPLANATION OF IMPACT:

FUNDING SOURCE:

ACTION REQUESTED: Accept

County Manager Barbee made this presentation as outlined above.

Vice-Chairman Heath asked if there was any public comment but there was none.

Commissioner Myles Getto made a motion to ratify the purchase agreement for property located at 270 S. Maine Street, Fallon, NV in the amount of \$495,000. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

G- Consideration and possible action re: Appointment of Alan Kalt, Chris Spross, Gary Fowkes, and Sean Richardson to serve on the Board of Directors of Fallon Golf Course, Inc.

Fallon Golf Course, Inc. is a non-profit 501(c)(3) tax-exempt organization that leases and operates the Fallon Golf Course. This organization has its Board of Directors appointed by the Churchill County Board of County Commissioners to ensure strong ties with its mission to provide a high quality course to the citizenship of Churchill County.

The corporation was initially formed in 2017 by the county to take over management operations of the golf course after the departure of the previous management company. The course had an initial set of directors with strong ties to the golf course and significant experience with golf operations. They selected Marty Davis as the superintendent of the course and have operated in the black for several years. The Bylaws of the corporation call for director appointments to be made by the Board of County Commissioners for two-year terms, with a potential extension of two years by vote of the other directors. Some new appointments to the board were done correctly in this manner with Tomas Kutansky appointed on January 6, 2020 and Brian Byrd

(city representative) on January 19, 2022. However, formal reappointment of directors that served on the board initially was never completed. In addition, the county's representation on the board has diminished due to the retirement of Alan Kalt, and the city designated Sean Richardson to complete the term Brian Byrd is serving.

The County and corporation additionally desire the board members to serve staggered terms to prevent significant vacancies or recruitment delays during transition periods. Accordingly, the recommendation is that Alan Kalt and Gary Fowkes serve an initial term expiring on December 31, 2023 and Chirs Spross serve a term expiring on December 31, 2024, with Sean Richardson taking the remainder of Bryan Bird's term which began January 19, 2022 and runs through January 18, 2024 with an option for a two-year extension.

FISCAL IMPACT: None.

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE:

ACTION REQUESTED: Accept

County Manager Barbee said there has been some confusion as to what is happening to the golf course. The golf course was purchased in 2012 or 2013. There were some iterations of management between there and 2017. In 2017, an agreement was reached between the county and a group of folks creating the Fallon Golf Course, LLC and bylaws that created a 5-person board. I went to a golf course meeting to discuss the inability of qualifying for the Southern Nevada Public Lands Management Act funds (SNPLMA), which, at one point, we thought would be a great resource to be able to utilize on the golf course. That fund is controlled by the Bureau of Land Management. It is not controlled by Churchill County. There seems to be some confusion there, so I want to be on the record that the Bureau of Land Management national office, through their executive board committee, has identified that the golf course would not be eligible for SNPLMA funds, even though we put it on our priorities list.

At that meeting, they were approaching me representing the county that they needed their parking lot paved and could we add that to the cost of putting in the water plant. I said we won't have paving to the water plant. Those would not be connected and, furthermore, we don't have funding for the water plant. We are trying to look for funding for that. After that meeting, that got me to thinking that I needed to have a better understanding of how the golf course is organized and functions and works and so, through that process and working with Joe, who I think was involved in working with Alan Kalt who was the CFO of Churchill County at the time, to create the bylaws and the agreement between the two organizations. In that agreement, it outlines that there are 5 board members serving to benefit golf and the sport of golf in the community and goes into the terms, I think, for 2 years with a re-up option by the board itself for 2 years and that, basically, overall, is running to benefit the community to have access to golf and its important component for our community that we have a lot of support for. In doing that, it also had reporting requirements. The reporting requirements that I was able to find, working with the Clerk's Office, had never been met, adjusted, or achieved. I had a meeting with Alan and Marty both talking about those and they recognized that and Alan was quick to provide financial reports updating, basically, the status of the golf course and everything there.

I thought that had clarified everything but, when I saw the email just at the start of this meeting, there seems to be continued confusion by folks affiliated with the board. Part of that confusion is that the County Commission, who is in charge of making those appointments, have only, in the time between and now and 2017, identified two appointments that were made to that board, so effectively, there are 2 folks that are currently serving on that board and no others. There are lots of folks that have been at the table and working diligently to benefit the golf course but they have never been appointed, so that is why we are trying to bring that appointment process forward. Additionally, the county did not have a representative on that 5-person board as outlined in the Agreement. Because of their concerns about construction, which is one of the documents that has not been provided, which I believe Alan is working on with Marty and the other folks, which is a Capital Improvement list of, basically, what things they want to see fixed and what things they want to improve in the golf course, so I think that is under process. Since that was such a focus, I thought it made sense to recommend Chris Spross, who is our Public Works Director, who has a twenty something years in construction, as well as Gary Fowkes, who has twenty something years in construction, are both folks that utilize the golf course and are actively engaged in the golf course. Recognizing that, currently, you have Tom and I have asked Alan to help me, as well as Bryan Bird who was appointed, I believe a year ago or two years ago, somewhere in there, but he has not been actively participating, so Sean Richardson has instead. Therefore we are bringing forward the recommendation to have Alan Kalt appointed to the board, along with the two county representatives of Gary Fowkes and Chris Spross and then appointing Sean Richardson in Bryan Bird's position to serve with Tom and create your 5-person board.

In reviewing the documents of the Bylaws, I think there are some Bylaws changes that are necessary. One of the things is that it says that all net profits from the operations of the golf course will be returned to the county yearly. There is \$200,000 sitting in a CD and I don't think that it makes sense that you would do that because they need the funds to operate and I think they need to identify and develop this Capital Improvement Plan that would be tied to the funds they are holding in the CD. There are some things there, which I am hoping that now that they will have a fully appointed board, if you approve, they would go back and go through those things and bring forward recommendations for changes. As this works, the golf course board would make recommendations through approval in their process for Bylaws changes and then the Commission would have to codify or approve those recommended changes, so that would come back to the Commission. With that, that is why we are bringing forward these three recommendations to complete a full board of the golf course.

Civil Deputy District Attorney Joseph Sanford said those who are going to be on the board looking at bylaw changes, this is a 501(c)(3) tax-exempt organization and was designed that way. A significant portion of the creation of a 501(c)(3) for a golf course operation is that the funds are tied to a county entity in a certain way. They don't have to come back every year exactly but they have to stay within either county funds or advancing the game of golf itself. When those bylaw changes get created, the county will review those and I will review those to make sure that we don't jeopardize the 501(c)(3) status. Vice-Chairman Heath said and they have to follow the open meeting law too, correct? Civil Deputy DA Sanford said that is part of the bylaws, yes.

Vice-Chairman Heath asked if there was any public comment but there was none.

Commissioner Myles Getto made a motion to appoint Alan Kalt and Gary Fowkes to the Board of Directors of Fallon Golf Course, Inc. with terms expiring on December 31, 2023 and to appoint Chris Spross to the same board with a term expiring on December 31, 2024, and Sean Richardson to the term ending January 18, 2024. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

H- Consideration and possible action re: Appointment of Sean Richardson to fill the unexpired term of Brian Byrd on the Board of Directors for Fallon Golf Course, Inc.

Fallon Golf Course, Inc. is a non-profit 501(c)(3) tax-exempt organization that leases and operates the Fallon Golf Course. This organization has its Board of Directors appointed by the Churchill County Board of County Commissioners to ensure strong ties with its mission to provide a high quality course to the citizenship of Churchill County.

The corporation was initially formed in 2017 by the county to take over management operations of the golf course after the departure of the previous management company. The course had an initial set of directors with strong ties to the golf course and significant experience with golf operations. They selected Marty Davis as the superintendent of the course and have operated in the black for several years. The Bylaws of the corporation call for director appointments to be made by the Board of County Commissioners for two-year terms, with a potential extension of two years by vote of the other directors. Some new appointments to the board were done correctly in this manner with Tomas Kutansky appointed on January 6, 2020 and Brian Byrd on January 18, 2022. However, formal reappointment of directors that served on the board initially was never completed. In addition, the county's representation on the board has diminished due to the retirement of Alan Kalt.

Brian Byrd no longer wishes to serve as a director. However, Sean Richardson is willing to fulfill the unexpired term ending January 17, 2024. Sean Richardson will serve as a liaison with the City of Fallon, which also provides funding and support to the golf course.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

This item was withdrawn as the matter was resolved in the item listed above.

I- Consideration and possible action re: Approval of an additional \$450 per week in standby pay for the District Attorney, Public Defender, and Justice of the Peace assigned to cover weekend court hearings pursuant to AB 518.

AB 518 provides for a two-year funding source for the payment of a standby stipend for District Attorneys, Public Defenders, Justices of the Peace, and their respective deputies, solely for coverage of bail hearings held on the weekend. This funding source provided for \$450 dollars per day of standby duty for these offices. Churchill County was mis-identified to receive reimbursement for a single weekend day, totaling \$23,600 for each department per year. The

County had already budgeted and approved a standby pay stipend of \$400 for the duty, which requires staff to be available to provide service for the entire weekend.

Staff recommends that the additional money provided pursuant to AB 518 be paid to the District Attorneys, Public Defenders, and Justices of the Peace in addition to the presently budgeted funds. This will provide fair compensation to the parties involved, and set up the County to request appropriate compensation at the next legislative session.

FISCAL IMPACT: \$89.20 per week in coverage for the Justice of the Peace's Social Security Match

EXPLANATION OF IMPACT:

FUNDING SOURCE:

ACTION REQUESTED: Accept

Human Resources Stark made this presentation as outlined above.

Vice-Chairman Heath asked if there was any public comment but there was none.

Commissioner Myles Getto made a motion to approve payment of an additional \$450 per week standby pay stipend to the District Attorney, Public Defender, and Justice of the Peace assigned to cover weekend court hearings. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

1:25 PM J- 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

A RESOLUTION IN ACCORDANCE WITH THE PROVISIONS OF NEVADA REVISED STATUTES CHAPTER 361.460 CERTIFYING THE COMBINED TAX RATE FOR THE LEVY OF TAXES BEGINNING JULY 1, 2023 AND SPECIFICALLY COMMITTING AND DESIGNATING THE NUMBER OF CENTS OF EACH ONE HUNDRED DOLLARS OF PROPERTY LEVY FOR EACH FUND, REMAINING UNTIL A SIMILAR BOARD ACTION IS TAKEN TO CHANGE THE COMMITMENT LEVELS AND OTHER MATTERS PROPERLY RELATING THERETO.

Comptroller Wideman made this presentation as outlined above.

Vice-Chairman Heath asked if there was any public comment but there was none.

Commissioner Myles Getto made a motion to adopt Resolution 23-2023 certifying the combined tax rate for Fiscal Year beginning July 1, 2023 and ending June 30, 2024 as submitted. 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: Sheriff's Civil Report for June 2023 showing a total of \$44,778.00 in revenue for the month.

Sheriff Richard Hickox provides his Civil Report for the month of June 2023 showing a total of \$44,778.00 collected as revenue for the month. This report is provided for the board's consideration and acceptance.

FISCAL IMPACT: \$5,109.00.

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

FUNDING SOURCE: General Fund.

ACTION REQUESTED: Accept

C- Consideration and possible action re: Churchill County Sheriff's 2nd Quarter 2023 Report regarding the number of deaths of prisoners in the county jail, which was zero for the period of January through March 2023.

Nevada Revised Statutes require a report from the Churchill County Sheriff regarding the number of deaths of prisoners in the county jail and any known circumstances surrounding any such deaths. There were no such deaths at the jail for the period of April through June 2023.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

D- Consideration and possible action re: Ratification of an Agreement between the 10th Judicial District Court and Shana Plount regarding services for the CASA Program.

The 10th Judicial District Court has entered into an Agreement with Shana Plount regarding services for the CASA Program. This is a renewal of an Agreement that has existed for some time. It is requested that the board ratify the Agreement as entered.

FISCAL IMPACT: \$2,750 per month, not to exceed \$33,000.

EXPLANATION OF IMPACT: As outlined.

FUNDING SOURCE: General Fund, District Court Budget.

ACTION REQUESTED: Accept

E- Consideration and possible action re: Recorder's Monthly Apportionment Report for June 2023 totaling \$20,029.70 in revenue for the month.

Churchill County Recorder, Tasha Hessey, provides her Recorder's Monthly Apportionment Report for June 2023 totaling \$20,029.70 in revenue for the month.

FISCAL IMPACT: \$20,029.70 in revenue.

EXPLANATION OF IMPACT: Fees to help off-set services provided.

FUNDING SOURCE: General Fund.

ACTION REQUESTED: Accept

F- Consideration and possible action re: Recorder's 4th Quarter Real Property Transfer Tax (RPTT) Report for April - June 2023.

Recorder Tasha Hessey provides her 4th Quarter Real Property Transfer Tax (RPTT) Report for April - June 2023. Further details can be obtained by reviewing the report.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

G- Consideration and possible action re: Recorder's 4th Quarter Report for Mining Claim Filing Fees for the period April - June 2023.

Recorder Tasha Hessey provides her 4th Quarter Mining Claim Filing Fee Report for the period April - June 2023 required by NRS 517.185. Details can be obtained from reviewing the report.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

H- Consideration and possible action re: Public Works, Planning & Zoning Department's Revenue Report for June 2023 showing a total of \$18,012.00 in revenue for the month.

The Public Works, Planning & Zoning Department submits its Revenue Report for the month of June 2023 showing a total of \$18,012.00 in revenue. This report is provided for the Commissioners' review and acceptance.

FISCAL IMPACT: \$18,012.00 in revenue for the month.

EXPLANATION OF IMPACT: Fees to off-set services provided by the department.

FUNDING SOURCE: General Fund.

ACTION REQUESTED: Accept

Vice-Chairman Heath asked if there was any public comment but there was none.

Commissioner Myles Getto made a motion to approve the Consent Agenda as submitted. 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:

Commissioner Scharmann was not present.

Commissioner Heath reported on the following topics:

- I attended a Lahontan Conservation District meeting.
- I attended a Parks and Recreation meeting.

Commissioner Getto reported on the following topics:

- I attended a CNRWA meeting last week.
- I met with Senator Rosen about affordable housing here.

County Manager Barbee reported on the following topics:

- I just continue to work towards trying to get a reimbursement of \$4.7M from BOR. We have additional meetings set up in the future. We have been working steadily with Rosen's office, who is engaged in that, so we continue to be hopeful but we need to get that money pulled back because it is definitely going to impact infrastructure decisions, as we move forward.

Comptroller Wideman had nothing to report.

Civil Deputy DA Sanford reported on the following topics:

- I just continue to work on several land bills that are going on in the county, which has generally been good. There is a lot of work going on.

Clerk/Treasurer Rothery reported on the following topics:

- Tax bills are hitting the mailboxes now. Those anxious taxpayers are keeping us busy.

Sheriff Hickox reported on the following topics:

- We had a lot of projects that we have been working on for a number of years come to fruition over the last couple weeks.
- We had people that went to the library to help kick off the reading program. We took our side-by-side, one of the patrol cars, and our crime scene investigation trailer and we let kids 10 and under play with the lights and play with the siren and sit down in the seats and break down some barriers that exist because parents who tell their kids that, if you don't behave, the cops will come and arrest you. We try and fight against that. We had some new people go out there and it was a lot of fun.
- We worked with WNC as part of their youth program and we put our guys over there to interact with people. We think those programs are beneficial to the community.
- We are working on a long-term MOU with the tribe. This project has dragged on for so long. We had a temporary MOU in place, which allowed us to go onto the reservation and tribal lands and assist them if they needed backup. Without that in place, we cannot go on tribal lands to help law enforcement out there because of the extreme liability that it places on the county, as well as the officers and our agency. For the last year we have not had an active MOU with them and that has placed our status at risk, like dispatching for them because it is not Criminal Justice Information Services (CJIS) compliant. I have been pushing on them to make sure we can get that going. It seemed like we would reach an agreement and then they would kick it back for a couple word changes here and there to a point where it was putting a lot of things at risk. We had a conversation and said just move forward if it doesn't change the content. Ultimately, we did that. Part of that was to make sure we had the ability to go on and help those officers out if they needed help. If they make an arrest on a member of their tribe, it is just strictly tribal code that they have to take them someplace else, so they were taking them to other counties. That reduces the law enforcement force that is actively patrolling and functioning on the reservation, which means that their officer is going to be calling for backup more often, which means that we can go out there more often, and so we need to do something different with that. When they would get released from court, sometimes they were stuck in other counties, so the office would have to go back and forth with little to no sleep, so it was placing the officers at risk. Part of the discussion we had, starting back in 2018, was how we solve that problem because they wanted to book them into our jail and per conversations with the DA, we cannot do that because we have no MOU. The BIA told us that if we allow them to be booked into our jail, then we had to open it up to the entire BIA system. We may have to take a troublemaker from Nebraska or any other tribe, it didn't matter, we had to take them in. I fought with that because I don't want troublemakers from other communities brought here and ultimately released here with no real ties to our community. I have been in front of their commission, I don't know how many times, testifying about this. Their concerns were we were going to try and expand our borders into their borders or are going to try to take over law enforcement out there and the answer has always been no, that is not our intent. We recognize their sovereignty. We

just want to assist them as needed. I want to thank Joe for his tireless work on this. They will be paying us \$55,000 a year for dispatch services and then they will pay \$100 a day for any inmate booked into our facility but cannot stay longer than 72 hours or they will have to be transferred out to a longer term facility.

- We met with the BLM and the U.S. Fish and Wildlife. On the BOR lands that surround our area, if there is an issue with law enforcement that needs to be dealt with, we have historically dealt with the BLM who does law enforcement for the BOR. They worked out some kind of a horse trade and those are their words. The U.S. Fish and Wildlife will now be taking over some of the law enforcement duties for BOR lands from BLM. How that is going to work I don't know. We met with both of their supervisors and they don't know either. This was done at a much higher level, so right now they have a U.S. Fish and Wildlife person that has been here a while but doesn't know the area that well. We have met with him a couple times to try to figure out what they are going to be doing and what his role will be. The issue is, as a federal officer, he does not have the authority to arrest under NRS, so we don't have a MOU with them and have talked about the need for one.
- We talked to the Cantaloupe Festival folks about making sure they had the proper liquor licenses so we don't end up in the same fiasco that we did last year. They have been working on those issues. Another issue is traffic control, as the AYSO, the FYFL, and football are all going on at the same time, so it will max out the parking. The concern was making sure people don't park along Sheckler Road. It creates no corridor for people to pull off for emergency vehicles. We also have concerns about potentially intoxicated people walking down the road. We have been meeting with NHP in regards to that and they said they have not been approached by the Cantaloupe Festival folks regarding permitting. We have another meeting set up to speak with them. I have sent a message to the County Manager, but I know he has been busy, in regards to having a conversation to maybe shut down a portion of Miners Road to through traffic so we can get rodeo contestants back and forth across that and put traffic from the south parking lot to Miners. I am hoping we can have a discussion about that with them and Gary Fowkes and Jesse in the future. County Manager Barbee said Jesse will be your contact because they have utilized that process before, so they kind of have a routine and I think, but I didn't want to weigh in because I didn't have all the details, so I need you to talk to Jesse. I think we actually have a staff member that was controlling traffic. Sheriff Hickox said if we shut that down, I think we can get Search and Rescue to play within the boundaries that we set up, so I think we can help with that. I just wanted to make sure we have everyone's agreement on that. County Manager Barbee said it is going to be more complicated than that because that is going to be where contestants are coming in and exiting, as well. But I don't know, so you need to talk to Jesse. Sheriff Hickox said yes, I was wondering if we could set up some conversations to set up some lanes for horse traffic and a foot traffic lane.
- Search and Rescue has been busy. They had a rescue out at the lake, which I thought was great. They have been out on multiple searches for some lost people that have gone out

into the desert and didn't realize how hot it was and had not returned.

- We continue to do some training with the water at the lake so we can make sure people are safe in the water.
- We have been struggling with our email issue for a while now. Our emails are not going through to people. They are going to spam, so we are working with Logically and Colin because we are not really able to function as a Sheriff's Office because they are not going to the state or to private entities. I don't know what the fix is but we are working with them to try to figure that out. We have not been able to talk to people because we can't call out and it has made our job, which is 90% communication, very difficult. The phones went out the other day, so we are working to solve the issue with that. We have upgraded everything; we got the new recorder in; we paid a bunch of money to have a guy come in and take a look at that again because we want to make sure it is not on our end. It is definitely our provider information. CC Communications says it is AT&T near Sacramento, so I have to believe them. They talk about technical stuff that I don't understand. We do have the new recorder that we purchased with the E-911 funds in and operational. We had a discussion with that company because they were not forthcoming with some information that would have made the purchase slightly different in regards to how our lines are coming into the county with some of our copper lines. It does provide us with a lot of resources that we did not have before.
- One of the ongoing issues we have had for a really long time is we have not been able to be seen on our computers, our cars were not visible. We have been working on that to try and resolve that. We bought new routers and other equipment. It got to the point where I had a conversation with the vendor to either they fix it or I am yanking it out of my car and sending it back and you can give me my money back. They sent a guy out here and we did have to pay a little bit to get him here but they are working on that.

Claims and Payroll Transmittals:

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

Public Comment:

Vice-Chairman Heath asked if there was any public comment. Lauren Moore with Western Nevada College said I oversee our commercial driving program and I just want to thank the community for that program. It would not be possible without their support. We are wrapping up the grant cycle and we have done some review of what is going on with our students now that they have graduated. We have some really fantastic news for you. We have trained 1,200 students since 2021.

- 13% of those were veterans.
- 15% were receiving public assistance prior to the program.
- 93% paid nothing out of pocket to attend the program.

- 34% of them went from being completely unemployed to holding full-time jobs with an average wage of \$30 an hour.
- 17% have received pay increases.
- 49% we hired by local employers.

Our students are working in construction, utilities, public service and are employed locally by a variety of companies, including Huck Salt, Hiskett and Sons, SS Hert Trucking, who actually helped start the program by donating a truck, as well as A & K Earthmovers and, three former students are employed with the City of Fallon and the Churchill County Road Department. Thank you for your support of this program.

Adjournment:

The meeting was adjourned at 3:10 PM.

Approved: Y2 Scharmann
Harry "Bus" Scharmann, Chairman

Approved: J. Heath
Justin Heath, Vice-Chairman

Approved: M. Getto
Myles Getto, Commissioner

ATTEST:
Linda Rothery, Clerk/Treasurer

Renae Paholke
Renae Paholke, Deputy Clerk