

MINUTES OF THE BOARD OF CHURCHILL COUNTY COMMISSIONERS

155 N. Taylor St., Fallon, NV 89406

August 16, 2023

Call to Order:

The regular meeting of the Board of County Commissioners was called to order at 1:15 PM on August 16, 2023.

PRESENT:

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

ABSENT:

Pledge of Allegiance:

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

Public Comment:

Chairman Scharmann asked if there was any public comment. John Downs said I have been a resident of Churchill County for the last 12 years. A few months ago, I came to a similar meeting with this same group. At that meeting, I presented what I felt were compelling arguments in favor of the removal of automatic voting machines for elections held in Churchill County. To date, no one has asked me any questions. In fact, I could tell that there was a general sense of approval by several of you nodding as I spoke. At least that is what I thought. I described the harsh conditions voters were subjected to while voting machines were safe and sound, nice and warm, a few feet away inside. To this point, I am disappointed that no one has ever contacted me to either assure me that voting machines are safe or the county's intention to get rid of them and return to paper ballots, as I suggested. To say nothing of the intent to increase voter accommodations at the polling place. I cannot dismiss the fact that no one, not one single local elected official has taken the time to respond to my issue even though I have personally now been here twice to address this concern. What I conclude from this is that you do not care and that my concern is not worthy of your consideration. If this is representative of the manner in which all concerns of citizens are taken, then we are in bad shape. I am not distrustful of the machines. I am, however, very reluctant to accept anyone's word for the output of a machine. Even today, leaders in the artificial intelligence field tell us they do not know the impact of AI and what it will have on our society and our civilization. Are we supposed to accept the unverifiable? Are we supposed to accept the outcomes of what these digital devices tell us we should? I have absolutely no confidence in our election system as long as it relies upon automated digital equipment to process and record vote tallies. It is time to at least consider the issue that I presented to you before it is too late. Thank you.

Verification of the Posting of the Agenda:

It was verified by Pamela D. Moore, Deputy Clerk to the Board, that the Agenda for this meeting was posted on the 10th day of August, 2023, between the hours of 3:00 and 5:00 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:

County Manager Barbee reported that Appointment Item E had been withdrawn prior to the meeting and, 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:

A- July 6, 2023.

The Minutes of the meeting held on July 6, 2023 are presented for the board's consideration and approval.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Commissioner Justin Heath made a motion to approve the Minutes of the meeting held on July 6, 2023 as presented. Commissioner Myles Getto seconded the motion, which carried by unanimous vote.

Appointments:

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

Kim Dow, District Manager of the Carson City District of the Bureau of Land Management, had the following PowerPoint presentation:

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Stillwater Field Office Bureau of Land Management

John Mitchell
Acting Field Manager
Stillwater Field Office
(775) 885-6075



U.S. DEPARTMENT OF THE INTERIOR
**BUREAU OF LAND
MANAGEMENT**

Geothermal Projects

- Diamond Flat – Writing and reviewing preliminary EA
 - Ormat has provided additional data requested from BLM
 - BLM is working on our response to the NV SHPO
- Wabuska (exploration)
 - Contractor is working on comments, will submit to BLM for review once comments are incorporated into the EA.
 - BLM has completed initial review and submitted comments to the preliminary EA.
- Dixie Meadows - Still in discussions with USFW on BA
- Coyote Canyon (exploration) – Ormat collecting baselines, BLM is reviewing baseline sections as they are submitted

NDAAs FRTC

- Trying to hire project manager to focus on implementation of FRTC
- BLM will be focusing on hiring IDT members to help with planning development

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Wild Horse and Burro

- Desatoya Gather (maintenance gather to maintain AML)
 - Will start September 24, 2023
 - Gather approximately 122 horses
- Clan Alpine Horse Gather EA
 - Public comment period ended July 17, 2023
 - BLM compiling and addressing comments
 - Once comments are addressed, BLM will draft the DR

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
 - BLM is expecting to receive the cultural addendum this month
 - The draft EA is expected in October and will have a 30-day review period for cooperating agencies.



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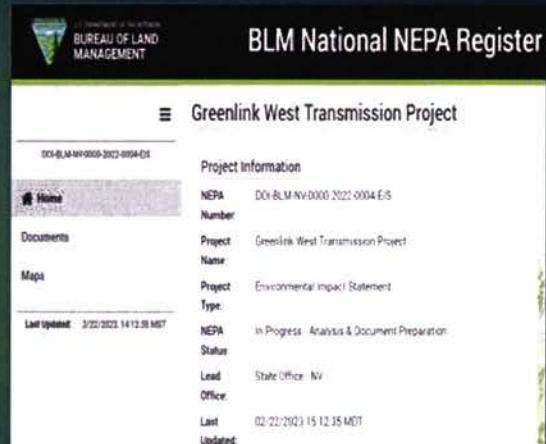
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Green Link West—being managed out of the NVSO with support from office

- 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>



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 Mine Project

- Located approximately 10 miles South of Gabbs
- Formerly in the Paradise Peak Mine Com
- Operations proposed are within former Paradise Peak Mine footprint
- Currently collecting baseline data for EA



Other Projects

- Bench Creek Range Improvement Projects EA (Churchill County)
 - BLM is working to address and incorporate comments
 - Link to the project - <https://eplanning.blm.gov/eplanning-ui/project/2015787/510>
- Special Recreation Permits
 - Modesto Ridge Runner Poker Run: Completed Aug. 12
 - Best in the Desert (BITD): Pahrump to Dayton, Aug. 18/19
- Paine Grazing Permit Renewal
 - Working on preliminary EA
 - Initiated consultation with USFWS for the Yellow-billed Cuckoo

Chairman Scharmann asked if there was any public comment but there was none. County Manager Barbee said I did follow up with Jeremy Drew and he confirmed that he had discussed with the Cadastral folks in May and they said they were still trying to do preliminary work but stand ready to help in any way that they can, so I want to make sure that you know that the offer is out there. I didn't get a chance to ask because I had to leave early, do you guys have any kind of timeline on when that final map for the FRTC should be finished or ready to go? Kim Dow said I did follow up with our Cadastral folks after that meeting and I did share with them that Jeremy was available to support. The efforts that they are going through right now is an internal effort but they do recognize that he is available. As far as a timeline goes, I have asked them to put something together and I have asked them to come to the next grazing meeting that we have, as well as the next IEC meeting, to present at both. They will be able to answer those questions better than I can.

Chairman Scharmann said, when you round up horses, in the past when that was done or when it was announced and then they saw there were going to be protesters, they cancelled the gathering. Are you going to do that? Kim Dow said I don't anticipate any cancellation of the gather. We have had some protesters just recently and it has not impacted our gather schedule. We have been impacted by litigation but that is court ordered when that happens. Chairman Scharmann said I would encourage you to go forward with the gathering. This item was presented for informational purposes only and no action was taken.

B- Consideration and possible action re: Annual update and approval of funding, in the amount of \$7,500 for the Lahontan Valley Conservation District and \$5,000 for the Stillwater Conservation District, for Fiscal Year 2024.

Christy Sullivan, District Clerk, will provide an update on activities for the Lahontan Conservation District and the Stillwater Conservation District. The county has a longstanding history of supporting the two districts, and because the county continues to provide annual support, the understanding of commitments between the two entities is outlined in Interlocal Cooperative Agreements. The current Interlocal Cooperative Agreements run through June 30, 2025, and are attached for reference.

The Chairperson for each district board has also included a cover letter requesting funding

support from the county for FY24, per the terms of the agreements. Lahontan Conservation District requests \$7,500 and Stillwater Conservation District requests \$5,000. These requests are the same amount as past support, and were budgeted to continue in FY24.

FISCAL IMPACT: FY24: \$7,500: Lahontan Conservation District

FY24: \$5,000: Stillwater Conservation District

EXPLANATION OF IMPACT: The funding levels for the two conservation districts has not changed in the last fiscal year. When the FY24 budget was being developed, the same amount of funding was requested and approved within the Community Support Budget. Therefore, funds are available should the board approve this request.

FUNDING SOURCE: Community Support / Grant Lahontan Cons Dist: 100-401-70160;

Community Support / Grant Stillwater Cons Dist: 100-401-70170.

ACTION REQUESTED: Accept

Christy Sullivan said this year we got funding from CWSD for \$29,500 to clear and snag the river. We just got done paying TCID for helping us clear the river this past fall and it was \$25,000 for the year 2022 and, we were behind a year, so we got that paid for \$25,000. We held the Carson River Workdays, which was on May 15-16th. We had 350 kids from Numa elementary, along with 50 high schoolers, go to the Rambling River Estates Ranches and they learned the importance of conservation, water sheds, and non-source pollution. After they were done, the Lahontan Conservation District fed all of them with hot dogs, fruit and chips. Regarding the tree sale, we sold 2,500 trees this year. The Cooperative Extension gave us a volunteer to help this year, which was a big help. We helped along with the Weed Abatement District to spray 3,804 acres with 178 gallons of spray. We had a class and told them the importance of how to use the spray, when to use it, how to be safe with it, and then we give them the chemicals to combat their own weeds.

I am just getting done with the Rambling River Estates audit.

The CWSD held a Get On The Bus Tour where they take the bus and travel from the Upper Watershed all the way down to the Lower Watershed. That is very interesting. We have been attending a lot of classes with the Education Work Group, the Flood Plan Management Group, the Ag Producers Working Group, and we had some soil workshops.

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

Commissioner Myles Getto made a motion to approve funding in the amount of \$7,500 for the Lahontan Conservation District and \$5,000 for the Stillwater Conservation District for Fiscal Year 2024 Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

C- Consideration and possible action re: Discussion of the request from Chris Thomas to be granted an exception from connecting to the existing sewer infrastructure, which connection is required as a result of a parcel split and home construction.

On May 4, 2023, this board heard a letter submitted by Mr. Thomas requesting an exemption from connecting to the existing sewer infrastructure. At this meeting, the board decided to move

this request as an agenda item at a future meeting for decision.

Churchill County Code 13.05.130 requires that any property that is abutting a street where the sewer infrastructure is located, shall connect to such sewer whenever the sewer line is within 180 feet of any building discharging sanitary sewer or process waste. This code was adopted to mitigate continued expansion of septic systems which, could eventually contaminate the ground water supply, both residential and municipal.

Mr. Thomas' property is located at 1320 Moody Lane, which is the northeast property at the Moody Lane & Rice Road intersection. An 18" sewer main is located within Moody Lane running north to the Moody Lane lift station. This abuts the property to a road where a sewer infrastructure is located. The homesite parcel is large and Mr. Thomas has indicated that he would like to place his house approximately 300 feet from Moody Lane which would place the property outside of the code requirement. However, the house could be placed closer to Moody Lane which would require connection to the sewer system.

In 2022, Mr. Thomas' neighbor, located at 1335 Moody Lane, was required to connect to the sewer system and has complained about sewer odors emanating from the sewer rooftop vents. Currently, this property is the only property that is connected to the system between the Onda Verde and Moody Lane lift stations, so all of the sewer gases are relieved through these vents. The Public Works Department has added vented sewer manhole lids to the system between the two lifts stations to allow gas release in other areas along the system. This has helped somewhat but, according to the property owner, sewer odors are still noticeable. By adding Mr. Thomas' property to the system, this would allow additional relief of the sewer gases in the system. Mr. Thomas has noted in his letter that, aside from a potential diminished flow from 300 feet to the sewer main, the odor is cause for concern and one of the reasons for his request.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Chris Spross made this presentation as outlined above.

Chris Thomas said the concern is that the home is going to be over 300 feet away from the sewer main so, for the sewer to be able to work efficiently to make it all the way to the sewer main, is a great concern to us. There is the extra cost of a pump system and then the 3-4 junction boxes we will have to put in and those would be in the entrance to our property off of Moody Lane. We just want to try and avoid all that.

Chris Spross said, just for clarification, I am familiar with the depth of the sewer infrastructure that runs through Moody just based on Mr. Fry's connection last year. The depth of the sewer is about 11 feet deep. The top of the pipe is going to be 9.5 feet deep. A sewer lateral is required to have a slope of 2% or more. At 300 feet, that would be an elevation drop of 6 feet, and so it would still be possible for that 2% and a home that is 300 feet away to still connect to that sewer and still drain properly. Chris Thomas said we want to put the home in the lower field and it is

the lowest elevation. The elevation is probably another 4 feet lower than the road, so that takes away from the depth that they are measuring to the top of the sewer main.

Commissioner Heath said, in the code, if he is over 180 feet from the sewer line, then he doesn't have to hook up to the county sewer? Chris Spross said that is correct. The code was rewritten back in 2020. The code, in 2014, had a distance of 400 feet and, in 2020, that code was amended to read 180 feet. I was not here when that was amended, so I don't know why it was amended. The code specifically talks about distance from the building discharging the waste, it does not talk about the property line. If the home is going to be over 180 feet away, he would not have to hook into the sewer. I just caution the board that this code was written for a reason to mitigate the amount of septic tanks that we have, which is why this was written. If the house can be built closer, obviously, Mr. Thomas has decided where he wants to build the house but I have some reservations on just allowing people to not hook up. Commissioner Heath said but, putting that house where he wants to put it, is it still within code? Chris Spross said that is correct.

County Manager Barbee said, just as a bit of clarification, outside of the context of this specific situation that you are looking at, as a former member of the State Environmental Commission, I want to remind you that these codes were put in place because of pressure that is being put on by the federal EPA on requiring that we are reducing the number of septic systems that we have, specifically in areas where we have more condensed housing coming in and, recognizing that, you know, acre plots and half acre plots, that is inclusive of those with the idea being that they are also putting wells there if they are not hooked to the water system, yada, yada, yada. We obviously get benefit by creating a sewer system and more folks hooking into that because of the efficiency to the use of the system but, larger than that and the bigger picture is, if it appears that we, on a local government level, are working in a way to weigh folks from the requirements of hooking up to, because part of these codes are meeting requirements of federal EPA and state EPA that can come back on the county where the state becomes more actively engaged in the management of our systems that we have here in our community and may do that and I speak from a previous job because of concerns of federal EPA taking over state EPA like you see in California. I just want to put a note of caution that I think we need to be very diligent in how we evaluate any of these that come before us because there are larger repercussions that could happen.

Commissioner Heath said why does have to apply for an exception if he is already outside that 180 feet? Chris Spross said the reason is that the code was put into place because we are trying to minimize the amount of septic systems that are out there that can contaminate. The house could be placed closer in order to minimize that septic system going in. Commissioner Heath said, but that is his land and it is within the code that he can do it. Chris Spross said understood. Chris Thomas said also, on our property, what is closet to Moody Lane, we have an orchard with a higher elevation with trees there and all that, so that is why we also wanted to step it back.

Chris Spross said I don't know why the code was changed. The only thing I can think of is, in this area, the infrastructure is about as low as it gets, so our surrounding infrastructure is typically not that low. The only thing I can think of is, for the sake of calculation, if you have an infrastructure that is only 7 feet high and you have to maintain a 2% slope, your house can only

be so far away before you can't get there. Maybe, at the time, that is the reason it was changed to 180 feet. I am only guessing at that. County Manager Barbee said it wasn't before me. I was here but I know that we did an update and I don't know if that was for some larger compliance. My question was, does it specifically call out the house or the property and how large of a property piece is this? Chris Thomas said, after the split, we are just under 4 acres. But it is 3 different elevations. It is a unique property. The home we have now is at the highest elevation. The orchard steps down to a lower elevation and then the lower field is the lowest. Chris Spross said the code, as it reads, says shall connect to such sewer after it is available for use whenever such public sewer line is within 180 feet of any building discharging waste.

Chairman Scharmann said were you going to raise up your house a little bit in order to avoid any flooding or anything like that. Mr. Thomas said the contractor said he was going to raise it up a little bit and then it would be on a foundation also. Chairman Scharmann said one thing that the county has been doing is, I have been here for a while and we are trying to, well, what Chris and Jim both said, we are trying to reduce the number of septic tanks in the valley and to try to encourage people to hook up to the county septic lines and water lines and so forth. I know that we did that over, I can't remember the housing development, but it is over off of Casey Road and there were about 12-15 homes over there that were on septic tanks and one of them didn't want to change, and so I went and talked to him and he agreed to do it. That is one thing that we are trying to do is, trying to restrict or reduce the number of septic tanks in the valley. Chris Thomas said I understand that but, as far as that, it would cause constant issues for us to put a home there and be constantly dealing with septic issues. We have taken all these steps and we are now at the point of purchase of the home but I had to figure out this issue and see if we could put in a septic instead of tying it in because, if I have to tie it in, it is almost not worth putting the home there. The house that we live in right now was built in 1943 and we are ready for a new home.

Commissioner Heath said is the cost of those two about the same or is there a big difference? Chris Spross said I don't know if you could say the cost was the same. If you hook up into the system, you are going to have your initial fee of \$6,500 and then you have your basic charge that you pay every month. I think that is \$62 a month. I am not real familiar with a septic system. I am assuming they last for maybe 25 years and I am sure you have to pump them out a few times during that life cycle. There is less of an upfront cost when you hook into the system but, depending on how far away you are, you have the cost of actually installing the line and tying it in and everything like that, so it is probably a wash. There is also the piece of mind knowing that you don't have any septic issues. You don't have to worry about your leach field flooding or problems with your tank and things like that. Commissioner Heath said where he wants to put the house right now there is an elevation issue. Chris Spross said I didn't know the elevation that was there, all I was calculating was that with the constant 2% slope you have 6 feet of drop. If he is saying they are 4 feet down, then granted, you don't have enough to make that fall. My only comment, my only concern is, I understand that this is a big piece of property and he has decided where he wants to build his house and that is his prerogative to decide. My only thing is, if we are honestly trying to reduce the number of septic systems and there is the possibility of moving your house in a different location on the property in order to comply with that code, that really is the only reason I wanted to bring this out. Commissioner Heath said, right, but it looks like he is

complying with the code where he wants to put the house. Chris Spross said if he builds his house where it is, all I am saying is, if he were to move his house in order that we don't have another septic system, that is an option. Commissioner Heath said, right now, this is where he wants to put the house. If he decided to move it closer, then it would change everything. Chris Thomas said I really don't have that option of moving it that close to where I would be within 180 feet without it being on the bank of the orchard without demolishing the home we are in now. We are actually filling out the permit for an accessory dwelling. They said we could have an accessory dwelling. It would be a lot more cost and this is where the wife wants the home. Chairman Scharmann said, if we deny this, can he still move forward with a septic tank? Chris Spross said yes, but basically, if you deny this, you are denying his variance to hook into the line. The decision here, depending on what you decide, is going to be yes, we approve his exception to hook in or no, we don't approve his variance to hook in or having to hook in. It is complicated.

Michael Penick said I am just a concerned citizen. Is the location of the house, it is the closest point of the house, is that the 180 feet or is the actual sewer discharge from the house to the sewer, is that the 180 feet? Chris Spross said our code does not specify. It says the building, it doesn't say the point of the closest toilet or closest shower or whatever to that. We would pick the closest corner of the house. Chris Thomas said we have measured it and we are right at 350 feet away.

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

Commissioner Justin Heath made a motion to approve the Applicant's request for an exception to connect to the county's sewer infrastructure and install a septic system, as long as his plans stay the same. If the plans change, he must come back to the board. Commissioner Myles Getto seconded the motion, which carried by unanimous vote.

D- Consideration and possible action re: Approval of a comment letter to the Bureau of Land Management regarding their Preliminary Environmental Assessment for the November 2023 Competitive Geothermal Lease Sale.

The Bureau of Land Management, Carson City District (CCD), has completed a Preliminary Environmental Assessment (PEA) for the November 2023 Competitive Geothermal Lease Sale EA # DOI-BLM-NV-CO10-2023-0004-EA. The BLM is seeking public comment 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 from July 21, 2023 through August 21, 2023.

This PEA analyzes the proposal to offer parcels for geothermal leasing and potential direct and indirect impacts from the issuance of leases. There are 13 parcels comprising of approximately 43,770.07 acres of land within the area administered by CCD being offered for lease. Parcels being offered for lease are in Churchill, Lyon, Mineral, and Nye Counties, Nevada. For locations refer to the enclosed map.

A copy of the PEA is available in the Carson City District BLM Office and on the project

webpage at: <https://eplanning.blm.gov/eplanning-ui/project/2025572/510>.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Jeremy Drew 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 approve the comment letter as presented.

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

E- Consideration and possible action re: Presentation of a bill draft to direct the Secretary of the Interior to convey certain federal lands to Elko County and other willing counties of Nevada to ensure continued access, growth, and other purposes.

Former Elko County Commissioner, Demar Dahl, is presenting a proposed bill draft to direct the Secretary of the Interior to convey certain Federal lands to Elko County and other willing counties of Nevada to ensure continued access, growth, and other purposes.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

This item was withdrawn prior to the meeting.

F- Consideration and possible action re: Approval of a 7-month extension request by Hiatt Land & Development, LLC to complete the road improvements to record the Parcel Map for property located at 2880 Enterprise Way, Fallon, Nevada, APN: 007-311-42, as required by the conditions of approval.

On March 3, 2022, the Board of County Commissioners approved the Tentative Parcel Map for Hiatt Land and Development, LLC to divide one parcel into four parcels on APN 007-311-42, located at 2880 Enterprise Way. A condition of approval was for the road serving the four parcels to be constructed or financially guaranteed prior to recording the map. On March 2, 2023, the Board of County Commissioners approved a 5-month extension for the Applicant to complete the road improvements, extending the completion date to August 2, 2023. On July 28, 2023, the Applicant requested an additional extension through the end of the year as the timing of the construction has been delayed by the contractor. The board can approve a one-year extension for recording a parcel map and by granting a 7-month extension, the total extension time will not exceed one year.

FISCAL IMPACT: None.

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Chris Spross made this presentation as outlined above.

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

Commissioner Justin Heath made a motion to approve the 7-month extension request to complete the road improvements. Commissioner Myles Getto seconded the motion, which carried by unanimous vote.

G- Consideration and possible action re: Ratification of an Agreement between Churchill County Social Services and the Nevada Housing Division, in the amount of \$20,500, to provide Rural Nevada Continuum of Care coordination and rental of an apartment for individuals who are literally homeless.

Churchill County Social Services has received funding in the amount of \$20,500 to support two projects. The first is to assist in the coordination of the Rural Nevada Continuum of Care to ensure compliance with HUD to maintain and apply for the Supportive Housing Program in Rural Nevada to reduce homelessness to the amount of \$17,150. The second is to provide \$3,350 to support the rental property currently housing the PATH Homeless Program until July 1, 2024.

FISCAL IMPACT: \$20,500 - State Trust Funds.

EXPLANATION OF IMPACT: \$17,150 - RNCoC oversight and coordination; \$3,350 - Social Service's Provisional Assistance Through Housing Project.

FUNDING SOURCE: State Trust Funds.

ACTION REQUESTED: Accept

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

Chairman Scharmann asked if there was any public comment. Michael Penick said I believe in helping everybody as much as we possibly can. I don't know if it is possible but I think there should be an amendment to this or somehow it should be stated that we provide this for people who are literally homeless as long as we don't do it as long as there are jobs available in the county and as long as this person is physically and mentally able to work. Other than that, I don't think it should be approved. Director Ernst said this is our program guidelines. You are required to have income to be in any of our homeless programs and their income could be disability or unemployment and then we would help them to obtain work if they are able to. The goal of all of the homeless programs are you have to be a resident. You come in and you are removed from that literally homeless state and we wrap services around them and that may be counseling of all sorts, plus increase their income so, after a 2-year period, they become stabilized and contribute to our community. Those guidelines have been in place since 2003. County Manager Barbee said the program is really focused on transitioning. They have to be moving forward and they are documented and consulted along the way, correct? Director Ernst said absolutely. All of our programs are transitional programs; they are not shelter programs. You are transitioning them back into the community to be productive citizens of our community.

Chairman Scharmann said do you run into people who don't want a home? Director Ernst said we do. I just spent the last 2 days in Reno working with the statewide Continuum of Care talking

about the same thing. There are individuals that do not desire to be housed. They may need a little support so that they are safe, but it is a choice. It is not illegal to be homeless. Our goal is to work with them to build their confidence to become housed and want to be housed and to have employment. We have quite a few that have been homeless. They are called chronically homeless. They do wander the streets, maybe due to mental health issues. They don't understand that being in a house can be safe. They may have had a bad experience. We have a gentleman that we have worked with for 7 years. We had him housed 3 different times but he has not been able to maintain housing because he was chronically homeless and he doesn't understand that you can't bring a mouse in and make that your pet because then you have 50 of them. Our goal is to work with them to help them understand that. We do provide support and other things also. Chairman Scharmann said I have run into those folks too.

**Commissioner Myles Getto made a motion to approve the ratification as presented
Commissioner Justin Heath seconded the motion, which carried by unanimous vote.**

H- Consideration and possible action re: Ratification of an Agreement between Churchill County Social Services and the State of Nevada, Department of Public and Behavioral Health, in the amount of \$1,600,000, to purchase and complete modifications necessary for the creation of the Health and Human Services Facility.

Churchill County applied for funding through DPBH to obtain a location for the Central Nevada Health District and further create a facility for all Health and Human Services in Churchill County.

Churchill County has been awarded \$1,600,000 of ARPA, US Treasury funds to support the purchase and modification of the property located on South Maine Street to house the Central Nevada Health District, Churchill County Social Services and the Satellite Nevada Public Health Laboratory.

The property will be restricted to change of use for a minimum of five years from execution.

FISCAL IMPACT: Total \$1,600,000.00.

EXPLANATION OF IMPACT: \$1,443,750 - Contract for facility purchase(s) and remodel;
\$156,250 - Equipment.

FUNDING SOURCE: American Rescue Act of 2021, U.S. Treasury.

ACTION REQUESTED: Accept

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

Chairman Scharmann asked if there was any public comment but there was none. He said, so this is a grant, it does not come from taxpayer money, not our taxpayer money? Director Ernst said it does come from the federal government through the state but it is a 100% grant to us. There is no matching requirement. Commissioner Heath said does this include any updates to the building? Director Ernst said, yes, this is purchase and modification to the building, plus purchase of desks, security equipment, all of those things that we will need.

Commissioner Justin Heath made a motion to approve the ratification as presented

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

I- Consideration and possible action re: Approval of an Agreement between Churchill County and Nevada Housing Division, Department of Business and Industries, in the amount of \$1,743,500, to support the creation of the New Pass House and Day Center for homeless services.

Churchill County applied for funding through the American Rescue Plan Act, Home Means Nevada in 2022. The goal of the application was to increase services for literally homeless residents and allow for placement to remove from the streets to alleviate the homeless situation, while receiving case management services to become self-sustaining.

Churchill County Social Services was awarded funds, in the amount of \$1,743,500, to complete the remodel and modification of the property located at 165 North Ada Street. The property would allow for up to a total of 7 units, to include studios and 1 bedroom units to be constructed with an open common area to house literally homeless residents, while participating in case management and other supportive services to become self-sufficient. Additionally, the space would allow for the creation of a day center for homeless individuals to access services, attend counseling, obtain showers, etc.

The project will fill an unmet need in the community since the barriers to obtaining housing for the literally homeless has become a growing issue over the past 5 years due to lack of availability, fair market rents, and dwellings that meet the housing standards of HUD to support the current PATH Program offered since 2003 by Social Services.

The Agreement requires the covenant to be recorded that restricts the property from changing use for 30 years, without approval from the State of Nevada, as part of the Home Means Nevada Initiative to create affordable housing in Nevada.

The Covenant and Agreement have been reviewed and approved for content by Jeff Weed, Civil Deputy Attorney.

FISCAL IMPACT: \$1,743,500 - rehabilitation and modifications to the property located at 165 North Taylor Street, Fallon.

EXPLANATION OF IMPACT: American Rescue Plan Act Coronavirus State and Local Recovery Funds.

FUNDING SOURCE: State of Nevada.

ACTION REQUESTED: Accept

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

Chairman Scharmann asked if there was any public comment but there was none. He said this gentleman brought up a good point when he had public comment and that was these people now that would housed would be looking to improve themselves. Director Ernst said, the Day Center, I will be honest, it is open for anybody that does need services. That would be the goal but, the goal is also to build a relationship with that homeless individual and help them get the mental health counseling or substance abuse counseling and then want to improve themselves more.

Somebody that is chronically homeless with severe mental illness, can take up to 5 years to build that relationship and have them be comfortable to talk to us. This allows that space and it is not here in the County Administration Building, it is a place that others can come and build those relationships. Our Case Manager and a Community Health worker would be staffed there to provide those services. Commissioner Heath said we are not going to allow them to camp out in the parking lot? Director Ernst said no, there will be no camping and one of the biggest things is, and I want to thank Chris Spross on both of these projects, he has been amazing, the security and the cameras, as we develop this, are going to be extremely necessary.

Commissioner Myles Getto made a motion to approve the grant agreement and Declaration of Restrictive Covenant Running with Land for the Home Mean Nevada Initiative as presented and to authorize the Chairman to execute the same. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

J- Consideration and possible action re: Approval of a Real Estate Purchase Agreement for property located at 290 S. Maine St., Fallon, Nevada in the amount of \$500,000.00.

The County is seeking to purchase property located at 290 S. Maine St., APN 001-524-09 as part of the planned Department of Health and Human services project. The county closed escrow on the neighboring property on August 11, 2023. Together these properties allow for the expansion of the Central Nevada Health District to an ideal location in the heart of downtown Fallon. This centralized service location promises to facilitate health and human services projects throughout the county.

FISCAL IMPACT: \$500,000 paid by State grant funds

EXPLANATION OF IMPACT:

FUNDING SOURCE:

ACTION REQUESTED: Accept

County Manager Barbee made this presentation as outlined above. Deputy District Attorney Joseph Sanford said this Purchase Agreement, just like our other one, will have to get a final approval once an appraisal is received. Other than that, this is just a single piece of parcel that is connected but does not have some of the improvements that are in the 270 property but, once they are open and connected, we can share some of those resources. There are not any tenants in this property, so it should be easier for us to move forward around the same time that the tenants get out of the other building. County Manager Barbee said I would just add that we are looking at a 30-day closing on this, correct? Deputy District Attorney Joseph Sanford said September 11th is the closing date. Chairman Scharmann said how does the city feel about us moving down on Maine Street? County Manager Barbee said the conversations I have had with the city, they are more than supportive of having the Health District, which the Mayor is Chair of, and Social Services located in the proximity. They have been very supportive. Chairman Scharmann said I talked with Bob Erickson and he seemed pretty pleased with it too.

Michael Penick said I hate to be a bother again. My only question is, as we change what our beautiful historic downtown looks like, is there any kind of stipulation that the new building will add to the charm of our downtown rather than completely change it. Thank you. Chairman Scharmann said, well, right now, those buildings are vacant. Michael Penick said if we are going

to build something new or remodel it, I only ask that we try to make it look like the same look. Chairman Scharmann said I think they will. County Manager Barbee said there are no current requirements, I think that is why you see the building, in some instances, in the shape that they are that I am aware of in terms of the city, but in the preliminary meetings that Chris Spross and I have had looking at the property along with Ms. Ernst, we want to try to tie those buildings together in a common appearance. We have looked at some of the historical sides. You may or may not be aware of this, the stone front that is on the 2-story former furniture store was stone that, as I understand it, was quarried up on Rattlesnake Hill. We, obviously, are no longer allowed to quarry there. We have already discussed trying to find rock fronts that have the same kind of texture and coloring that we can utilize within reason of ability, because we have whatever of \$700,000 to stretch across the full refab, including paving in the back of the property, which is now on gravel. When we are done and complete, that is the vision is that we would make them look similar and be very supportive of the historic look of the downtown. That is the ideology that we are working with. Chairman Scharmann said the city, they would be very unhappy with us if we did anything that would be to the detriment of downtown.

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

Commissioner Justin Heath made a motion to approve the Real Estate Purchase Agreement for property located at 290 S. Maine St., Fallon, NV in the amount of \$500,000. Commissioner Myles Getto seconded the motion, which carried by unanimous vote.

Letters Received:

A- Nevada Division of Environmental Protection provides notification that it has received and reviewed the Limited Phase II Environmental Site Assessment Report (Report) dated July 24th, 2023, prepared and submitted by Tracy Johnston, CEM of Converse Consultants on behalf of Welsco Drilling, for property at the intersection of U.S. 50 and Downs Lane, Fallon, Nevada.

The Nevada Division of Environmental Protection (NDEP) has received and reviewed the Limited Phase II Environmental Site Assessment Report (Report) dated July 24th, 2023, prepared and submitted by Tracy Johnston, CEM of Converse Consultants on behalf of Welsco Drilling.

The report summarizes the remediation efforts investigation activities that have taken place to date. Soil samples indicate that while contamination remains in place above 100 mg/kg TPH, the VOC analytes are below Nevada reportable concentrations. A benzene concentration of 9.3 ug/L was reported in the groundwater sample from boring B-1, exceeding the maximum concentration level (MCL) of 5.0 ug/L.

Converse recommends installing a single groundwater monitoring well at the approximate location of B-1, which is the source area. The well will be used to facilitate gauging of non-aqueous phase liquid (NAPL) if any is present, and to collect representative groundwater samples. Following completion of the sampling, Converse will prepare a report with a discussion of field activities and analytical results.

The NDEP concurs with the recommendations presented in the report. The final report submittal is expected no later than October 27th, 2023. NDEP requests all report documents be submitted in digital portable document format (pdf; e.g., compact disc, e-mail) concurrent with a hardcopy document. Please be advised that NDEP has a 20 megabyte limit for e-mail attachments.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

B- Bureau of Land Management's update on staffing withing the Range Program at the Winnemucca District.

The Bureau of Land Management provides an update on staffing within the Range Program in the Winnemucca District.

Currently we are down to two Rangeland Management Specialists (RMS) district wide, Wes Barry and Thomas Anderson. Kruze Kinder moved to Utah with the Natural Resource Conservation Service in mid-July. Both Wes and Thomas are with the Humboldt River Field Office. We currently don't have an RMS in the Black Rock Field Office. We also have vacancies with both Range Technicians positions, in which there should be one person in each field office.

The Assistant Field Manager (AFM) for Range is still vacant and no one is "Acting" or "Detailed" in this position at the present time. Wes Barry, whom most of you know, is still fulfilling some of the duties that the AFM Range position would handle until a permanent person is hired.

Within our upper management in the Winnemucca District, Mandy DeForest and Robert Sevon are currently detailed into our two Field Manager positions for Black Rock Field Office and Humboldt River Field Office, respectively.

We are currently reviewing resumes and scheduling interviews for our Range Technician positions. We also have a job announcement out on USA Jobs for our vacant RMS positions that is scheduled to close soon.

I want to thank you for your past, present and future patience, understanding and willingness to work with the local BLM while we are faced with staffing challenges.

Please see the enclosed list to determine who is now your point of contact for your allotment/permit. With no RMS in the Black Rock Field Office, Andy Boerigter, who is the Assistant Field Manager in the Black Rock Field Office, is still shown as the default contact person for those allotments, but Wes Barry is also available to answer any questions you may have related to your allotment/permit.

On the enclosed list you will see some names with a TBD after it. This indicates that when we are successful in filling our vacant positions, the selected individuals will assume the role of RMS for said allotment/permit where the TBD is listed.

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: Approval of automatic Budget Augmentation #2 for Grants for Fiscal Year 2022-23.

Churchill County has received various grants during Fiscal Year 2022-23. The proposed automatic budget augmentations allows for budget transfers in accordance with NRS 354.598005(3) as follows:

3. Nothing in NRS 354.470 to 354.626, inclusive, precludes the amendment of a budget by increasing the total appropriation for any fiscal year to include a grant-in-aid, gift or bequest to a local unit of government which is required to be used for a specific purpose as a condition of the grant. Acceptance of such a grant and agreement to the terms imposed by the granting agency or person constitutes an appropriation to the purpose specified.

The budget will be augmented as outlined in the attachment to the report.

FISCAL IMPACT: Augmentations to reflect the grants received.

EXPLANATION OF IMPACT: Grant funding has been received and the budget will be augmented accordingly.

FUNDING SOURCE: Federal Grant American Rescue Plan Act 2021 LATCF

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 approve and note in the Minutes the automatic augmentation for grants received by Churchill County for Fiscal Year Ending June 30, 2023. 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: Building Permit Activity Report for July 2023

Provided for the board's review is the report showing 42 permits issued in the month of July 2023. Included in the 42 permits are 2 single-family-dwelling permits, 1 commercial permit, 0 industrial permits, 2 manufactured home permits, and 3 septic permits.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE:

ACTION REQUESTED: Accept

C- Consideration and possible action re: Building Department's Revenue Report for July 2023 totaling \$49,785.13

The Building Department provides its Revenue Report for July 2023 for the board's consideration and acceptance. A total of \$49,785.13 was received for the month.

FISCAL IMPACT: \$49,785.13

EXPLANATION OF IMPACT: Fees are collected for the issuance of building permits, plan review, inspections, etc.

FUNDING SOURCE: General Fund

ACTION REQUESTED: Accept

D- Consideration and possible action re: Public Works, Planning & Zoning Department's Revenue Report for July 2023 showing a total of \$294,641.02 in revenue for the month.

The Public Works, Planning & Zoning Department submits its Revenue Report for the month of July 2023 showing a total of \$294,641.02 in revenue. This report is provided for the Commissioners' review and acceptance.

FISCAL IMPACT: \$294,641.02 in revenue for the month.

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

FUNDING SOURCE: General Fund.

ACTION REQUESTED: Accept

E- Consideration and possible action re: Recorder's Monthly Apportionment Report for July 2023 totaling \$14,851.30 in revenue for the month.

Churchill County Recorder, Tasha Hessey, provides her Recorder's Monthly Apportionment Report for July 2023 totaling \$14,851.30 in revenue for the month.

FISCAL IMPACT: \$14,851.30 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: Justice Court's Financial Report for the period of October 2022 - July 2023, showing a total revenue in the sum of \$346,374.08 to the county and \$202,125.31 to the state.

Justice Court's Financial Report for the period of October 2022 - July 2023, showing a total revenue in the sum of \$346,374.08 to the county and \$202,125.31 to the state. Further details can be found by reviewing the report provided for the board's consideration and acceptance.

FISCAL IMPACT: \$476,743.92

EXPLANATION OF IMPACT: Fees help to offset the costs of providing the services.

FUNDING SOURCE: General Fund..

ACTION REQUESTED: Accept

G- Consideration and possible action re: Court Services Fourth Quarter Revenue Report for the period of April to June 2023, reflecting \$10,390 in revenue for the quarter.

Brenda Ingram, Court Services Director, provides the department's Fourth Quarter Revenue Report for the period of April - June 2023 for the board's consideration and acceptance. A total of \$10,390 in revenue was collected for the quarter.

FISCAL IMPACT: \$10,390.00.

EXPLANATION OF IMPACT: Fees collected help offset the costs of providing services.

FUNDING SOURCE: General Fund

ACTION REQUESTED: Accept

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

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

Consider Future Agenda Items:

Commissioner Getto suggested a code revision for hooking up to sewer systems.

Commissioner and Management Staff Reports:

Chairman Scharmann reported on the following topics:

- I attended the IEC meeting, along with Jim. It was an interesting meeting.
- I also attended the Fallon Youth Center Board of Directors meeting. It was an interesting meeting too.
- I will be going to the Carson Water Subconservancy District meeting.

Commissioner Heath reported on the following topics:

- I attended the Parks and Recreation meeting.
- I attended the Back to School night at the high school.
- I attended the Lahontan Conservation District meeting.

Commissioner Getto reported on the following topics:

- I had a Fire Board meeting.
- I attended the Back to School Night.

County Manager Barbee reported on the following topics:

- We continue to move forward with the planning and design of the courthouse and modifications for the new DA's Office.
- We continue to track and meet the requirements with NDOT on the Drumm building. We hope to bring some of those approvals to you in the near future.

Comptroller Wideman reported on the following topics:

- We got the second half of the PILT monies last week. It will be brought before you in the future to see how you want to expend those funds.

Civil Deputy DA Sanford had nothing to report.

Clerk/Treasurer Rothery was absent. Deputy Clerk to the Board Pamela Moore said the first installment of property taxes is due on Monday, so we have been busier than normal collecting taxes.

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 2:27 PM.

Approved: 
Harry "Bus" Scharmann, Chairman

Approved: 
Justin Heath, Vice-Chairman

Approved: 
Myles Getto, Commissioner

ATTEST:

Linda Rothery, Clerk/Treasurer

A handwritten signature in cursive script, appearing to read "Renae Paholke", is written over a solid black horizontal line.

Renae Paholke, Deputy Clerk