MINUTES OF THE BOARD OF CHURCHILL COUNTY COMMISSIONERS

155 N. Taylor St., Fallon, NV 89406
December 20, 2023

Call to Order:

The regular meeting of the Board of County Commissioners was called to order at 1:15 PM on December 20, 2023.

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

Pledge of Allegiance:

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

Public Comment:

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

Verification of the Posting of the Agenda:

It was verified by Julianne Ikonen, Deputy Clerk, that the agenda for this meeting was posted on the 14th day of December 2023, between the hours of 1:00 and 5:00 PM at all the locations listed on the agenda, in accordance with NRS 241.

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

Chairman Scharmann reported that appointment B has been withdrawn and, therefore, the agenda needs to be revised accordingly.

Commissioner Justin Heath made a motion to approve the agenda as revised. Commissioner Myles Getto seconded the motion, which was carried by unanimous vote.

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

A- November 15, 2023, Departmental Tours.

The Minutes of the Departmental Tours conducted on November 15, 2023, are provided for the board's consideration and approval.
FISCAL IMPACT: N/A
EXPLANATION OF IMPACT: N/A
FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Commissioner Myles Getto made a motion to approve the Minutes of the Departmental Tours conducted on November 15, 2023, as submitted. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

B- November 15, 2023, Regular Meeting.

The Minutes of the regular meeting held on November 15, 2023, are provided for the board's consideration and approval.
FISCAL IMPACT: N/A
EXPLANATION OF IMPACT: N/A
FUNDING SOURCE: N/A
ACTION REQUESTED: Accept

Commissioner Myles Getto made a motion to approve the Minutes of the regular meeting held on November 15, 2023, as submitted. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

Appointments:

1:15 PM A- Presentation of Employee Service Awards for the 4th Quarter of 2023.

Employees receiving service awards during the 3rd Quarter of 2023 are:

Employee Name	Department	Years of Service
Trinite Clifford	Comptroller	5 Years
Anne McMillin	County Manager	5 Years
Rudy Maynez	Sheriff's Office	15 Years

FISCAL IMPACT: N/A
EXPLANATION OF IMPACT: N/A
FUNDING SOURCE: N/A
ACTION REQUESTED: None; Informational Only

This item was done for recognition of the employees listed for their years of service and no action was taken.

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

Chairman Scharmann announced that we will by-pass item B, the BLM update, as they are under the weather.
Kim Dow, District Manager, Bureau of Land Management, 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

This item was withdrawn prior to the meeting.

C.- Consideration and possible action re: Presentation of the Comprehensive Annual Financial Report for the general Churchill County and CC Communications for the Fiscal Year Ending June 30, 2023.

FISCAL IMPACT: As contracted.
EXPLANATION OF IMPACT: N/A
FUNDING SOURCE: N/A
ACTION REQUESTED: Accept

Comptroller Sherry Wideman announced auditors will give a short presentation and she will follow up with a short presentation. Sherry let the board know that the audit was completed on time and no extension was needed this year. This Comprehensive Annual Financial Report is for the Fiscal Year Ending June 30, 2023. The audit was presented to the Audit Committee on December 19, 2023. After review of the report, the board is asked to accept and approve the audit report.

Chad B. Atkinson introduced himself, as well as Kelly Jones-Mesko, Audit Manager, on the engagement. Mr. Atkinson first thanked the county and CC Communications for their staff and exchange of information in a timely manner. The staff appreciated working with them in this endeavor.

Mr. Atkinson said I want to direct you to a couple of documents in the Annual Comprehensive Financial Report. One is what we normally refer to and which is prepared by management that gives insight and explanation for things that occurred this year - the Letter of Transmittal and Management's Discussion Analysis. These are found in the Table of Contents and are the shortened version of the whole financial report that's included in the package. The county received an unmodified opinion or clean opinion of the financial statements, which can be found on page 15. There should not be any material modifications that need to be made to the financial statements as presented.

Another report that they issue is on page 215 on the internal controls over financial reporting and on compliance. We are happy to report that there were no internal control deficiencies that they came across in their test work during this year 2023, so Mr. Atkinson congratulated the county and CC Communications for this.

There was a minor issue pertaining to the NRS which they ended a compliance issue that was issued as 2023-001 in the financial statement on page 225. A new fund was created by CC Communications for the CAP funds. The CAP fund did not have a budget prepared so, at the end of the audit process, we went through and identified that there was no budget in place for this fund and that's what this budgetary compliance finding has to do with. They believe that the matter has been recognized and addressed and will be taken care of in the future budgeting cycles. Mr. Atkinson asked if there were any questions on that matter. He stated there is a corrective action plan for this compliance violation that is on page 227, which was prepared by Jaime Hyde at CC Communications. Mr. Atkinson asked if there were any questions, but there were none.

Mr. Atkinson also performed test work on the federal programs that the county receives federal assistance for, which is on page 221, and there is a report that talks about whether there are internal control deficiencies or noncompliance issues related to the federal programs. We are happy to report we did not come across any matters of noncompliance for internal control deficiencies pertaining to your federal awards.

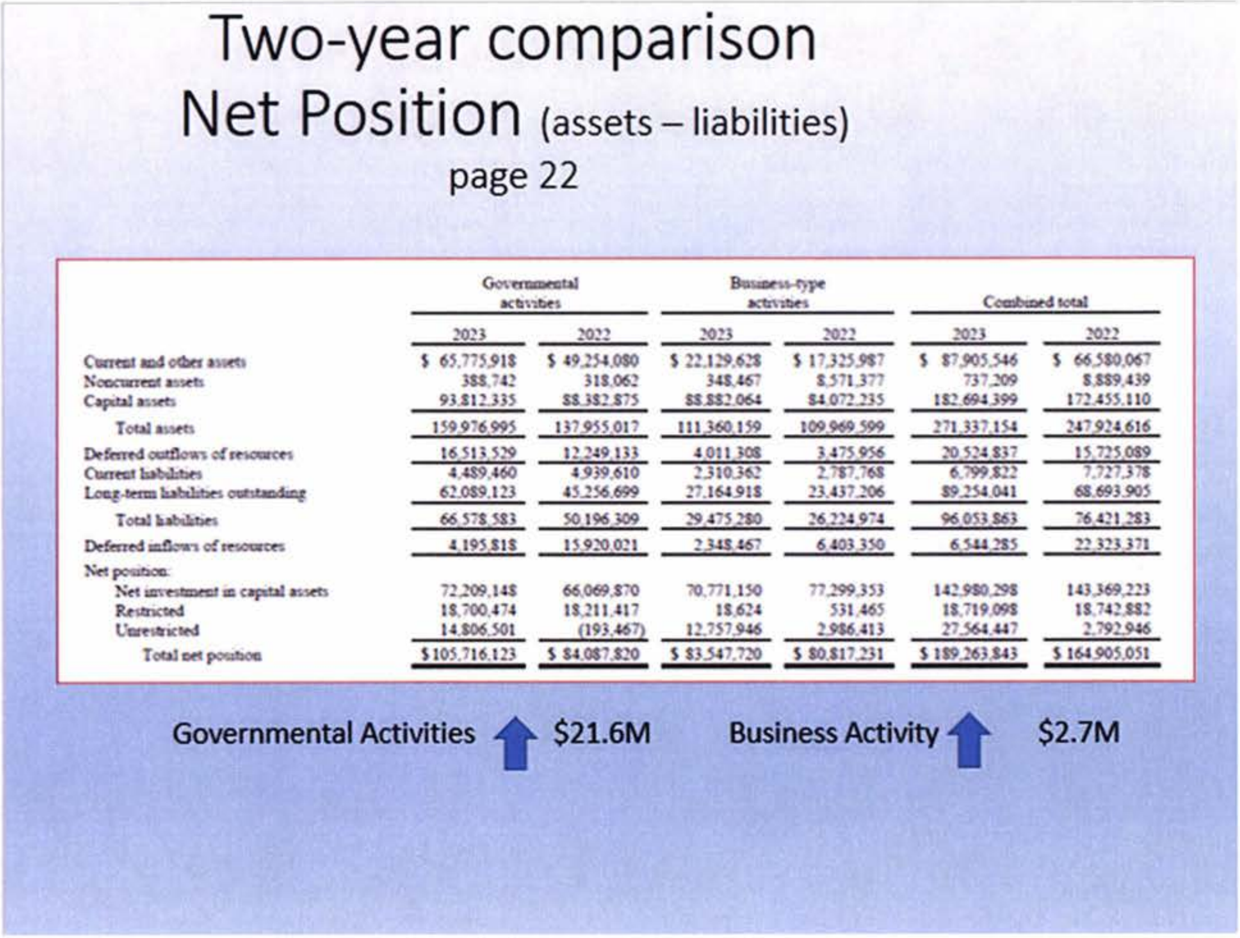
The federal award program that was tested during our process was the Corona Virus state and local fiscal recovery funds that have been received in the past couple of Fiscal Years. No problems or issues were noted on that. Mr. Atkinson wanted to recognize that the county continues to be a low-risk auditee, which is listed on page 224. This is favorable for grantors and other agencies that may be looking at the county to provide additional grant opportunities to the county. This is a favorable thing to have. The next slide depicts the financial highlights, and Kelly will go through these. As noted, we would like to mention that the funds operated in their approved budgets, except for CAP fund, which is described in the finding.

If there is an interest in looking at the changes in fund balances of governmental funds, please go to page 36. There is a line item and, on page 41, there is a change in net position that shows you how the funds changed in Fiscal Year 2023. There will be more detail in the following slides.

Ms. Jones-Mesko said, for the General Fund, there is a change in fund balance, which decreased $4.7 million during Fiscal Year 2023, as seen on page 36. The decrease is mostly related to a transfer out to a Special Ad Valorem Capital Project Fund during Fiscal Year 2023. This left some fund balance categories, which are unassigned fund balances that decreased from $4 million down to $1.6 million at the end of Fiscal Year 2023. This currently leaves approximately less than 1 month of operating expenses that can be paid by the unassigned fund balance. It is recommended to do two months, which is something to consider. There is also an assigned fund balance of a round number of $5 million. This assigned fund balance is appropriate for Fiscal Year 2024 expenditures. The last item making up the fund balance in the General Fund is the non-spendable amount, which is made up of prepaid items of $30,000.00. The General Fund is stable and doing well.

The Road Fund balance went down overall to $172,000.00. This fund balance is made up of two categories, Assigned and Restricted. The Assigned went up $128,000.00 and the Restricted went down $300,000.00. They are both sitting at $954,000.00 and $907,000.00, respectively. The Road Fund is doing well. The Special Ad Valorem Capital Project Fund is a new major fund in Fiscal Year 2023. There was more activity in this fund so, the fund balance increased $23 million, which is related to two items the transfer from the General Fund (mentioned earlier) and the one-time Navy funding that was $15.5 million. This left a fund in various categories in fund balance, which is made up of the $15.5 million and the Navy funding committed of $7.2 million which funded capital projects of $2.6 million. This fund is intended for the District Court House project.

We have the business type funds, including the CC Communications Telephone Fund where the change in net position was $1.6 million. The net investment of capital assets is down $5.7 million, which is due to depreciation and unpaid (unsaid) bond postings decreased. These two items outpaced the purchase of new capital assets during the year and this resulted in the unrestricted net position increasing $7.3 million, so the Telephone Fund has 8.4 months of operating reserves in unrestricted fund. This fund is on a good trend and is doing well. With the Broadband Fund, the change in net position was a decrease of $7.2 million. The bulk of this is due to the establishment of the CAP Fund during Fiscal Year 2023. A lot of the fund balance and activities that were in Broadband were transferred to the CAP Fund, which resulted in an overall decrease in net position.



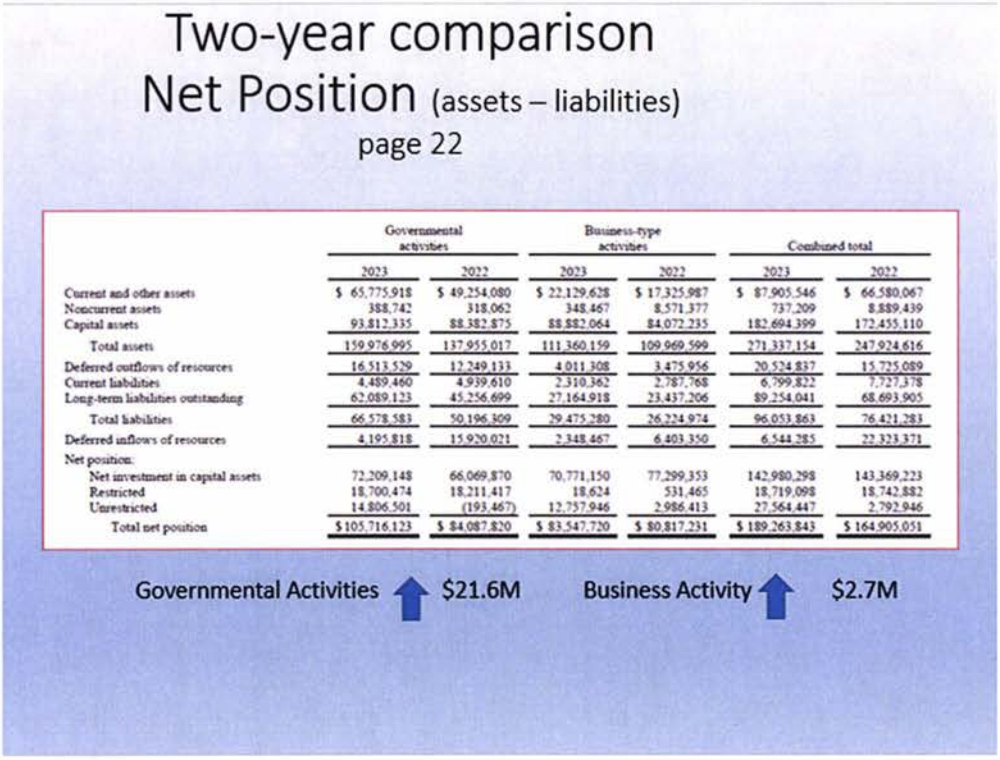
	Governmental activities		Business-type activities		Combined total	
	2023	2022	2023	2022	2023	2022
Current and other assets	$ 65,775,918	$ 49,254,080	$ 22,129,628	$ 17,325,987	$ 87,905,546	$ 66,580,067
Noncurrent assets	388,742	318,062	348,467	8,571,377	737,209	8,889,439
Capital assets	93,812,335	88,382,875	88,882,064	84,072,235	182,694,399	172,455,110
Total assets	159,976,995	137,955,017	111,360,159	109,969,599	271,337,154	247,924,616
Deferred outflows of resources	16,513,529	12,249,133	4,011,308	3,475,956	20,524,837	15,725,089
Current liabilities	4,489,460	4,939,610	2,310,362	2,787,768	6,799,822	7,727,378
Long-term liabilities outstanding	62,089,123	45,256,699	27,164,918	23,437,206	89,254,041	68,693,905
Total liabilities	66,578,583	50,196,309	29,475,280	26,224,974	96,053,863	76,421,283
Deferred inflows of resources	4,195,818	15,920,021	2,348,467	6,403,350	6,544,285	22,323,371
Net position:						
Net investment in capital assets	72,209,148	66,069,870	70,771,150	77,299,353	142,980,298	143,369,223
Restricted	18,700,474	18,211,417	18,624	531,465	18,719,098	18,742,882
Unrestricted	14,806,501	(193,467)	12,757,946	2,986,413	27,564,447	2,792,946
Total net position	$ 105,716,123	$ 84,087,820	$ 83,547,720	$ 80,817,231	$ 189,263,843	$ 164,905,051

The Net Investment in Capital Assets went down $10.9M, which is related to the movement of capital assets from Broadband to the CAP Fund and the unrestricted net position increased $3.7 million and there is about 6.9 months of operating reserves in unrestricted, so this fund is also on a good trend for Fiscal Year 2023. With the newly established CAP Fund, its net position increased \$8.8 million. A lot of this is due to transfers from Broadband. The investment in capital assets is at \$10.2 million for all these capital assets, which is offset by debt that was moved over to the CAP Fund, leaving an unrestricted net position of \$1.5 million. This is something to keep in mind and the auditors would recommend that the unrestricted net position be built up for future expenses.

We have a Wastewater Fund where the total change in net position was a decrease of \$717,000.00. The net investment in capital assets decreased \$749,000.00, mostly due to depreciation, which left an unrestricted net position of an increase of \$31,000.00. There is currently 20 plus months of operating reserves in unrestricted net position for the Wastewater Fund.

The overall cash balance between the Governmental Funds and the Business Type Funds at the end of Fiscal Year 2023 shows the Governmental Funds increased \$15.9 million, which is currently at \$61 million, and the Business Type Funds increased by \$5.5 million, which is at \$14 million at the end of Fiscal Year 2023. Kelly Jones Mesko asked if there were any questions on the financial trend. Chairman Scharmann asked the board if there were any questions or comments. Sherry Widemann, Comptroller, thanked the Audit Committee and said that it was a pleasure working with the auditors.

Comptroller Wideman said the balance statement is a highlight of the net position that the auditors were just speaking about. If you look at the governmental activities, the net position is up about \$21.6 million and the business activity is up \$2.7 million.



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Page 23 gives an idea of where the revenues are coming from. There are the program revenues, general revenues, and expenditures. The governmental revenues are up $18.8 million, and the expenditures are up $6.7 million. This is compared to 2022 and there is also the Navy expansion money of $20 million and the Covid money. For the business type activities, the revenues were up $1.5 million and their expenditures were up $1.2 million, which includes water, sewer, CC Communications, and the golf course.

Revenues and Expense Compared to Prior Year

page 23

	Governmental Activities		Business-type activities		Combined total	
	2023	2022	2023	2022	2023	2022
Revenues:						
Program revenues:						
Charges for services	$ 4,778,236	$ 4,332,674	$ 22,419,935	$ 20,379,343	$ 27,198,171	$ 24,912,017
Operating grants and contributions	7,233,690	8,900,106	-	-	7,233,690	8,900,106
Capital grants and contributions	122,188	189,424	233,676	428,848	355,864	618,272
General revenues:						
Ad valorem taxes	10,684,810	9,844,023	-	-	10,684,810	9,844,023
Consolidated taxes	8,667,443	8,711,296	-	-	8,667,443	8,711,296
Other taxes	9,841,944	9,600,203	-	-	9,841,944	9,600,203
Other unrestricted intergovernmental	20,000,000	-	-	-	20,000,000	-
Unrestricted investment earnings	79,285	(20,472)	245,619	25,778	324,904	5,306
Other miscellaneous revenues	2,999,389	3,815,576	40,728	557,082	3,040,117	4,372,658
Total revenues	64,406,985	45,572,830	22,939,958	21,391,051	87,346,943	66,963,881
Expenses:						
General government	7,110,816	9,563,101	-	-	7,110,816	9,563,101
Judicial	5,804,558	4,582,235	-	-	5,804,558	4,582,235
Public safety	17,161,691	10,205,012	-	-	17,161,691	10,205,012
Public works	4,677,397	3,266,083	-	-	4,677,397	3,266,083
Health	235,305	274,521	-	-	235,305	274,521
Welfare	3,367,347	3,828,598	-	-	3,367,347	3,828,598
Culture and recreation	2,624,423	2,432,842	-	-	2,624,423	2,432,842
Community support	1,927,675	1,991,298	-	-	1,927,675	1,991,298
Interest on long-term debt	572,686	588,819	-	-	572,686	588,819
Telephone	-	-	11,193,980	10,287,727	11,193,980	10,287,727
Long distance	-	-	108,184	113,256	108,184	113,256
Broadband	-	-	5,335,411	6,176,271	5,335,411	6,176,271
CAP	-	-	1,095,401	-	1,095,401	-
Waste water	-	-	1,102,810	1,066,557	1,102,810	1,066,557
Utility water	-	-	609,721	568,011	609,721	568,011
Golf course	-	-	60,746	71,820	60,746	71,820
Total expenses	43,481,898	36,732,509	19,506,253	18,283,642	62,988,151	55,016,151
Increase(Decrease) in net position before transfers and contributions	20,925,087	8,840,321	3,433,705	3,107,409	24,358,792	11,947,730
Transfers	703,216	695,000	(703,216)	(695,000)	-	-
Increase(Decrease) in net position	21,628,303	9,535,321	2,730,489	2,412,409	24,358,792	11,947,730
Net position, beginning	84,087,820	74,552,499	80,817,231	78,408,977	164,905,051	152,961,476
Prior period / restatement adjustments	-	-	-	(4,155)	-	(4,155)
Net position, ending	$ 105,716,123	$ 84,087,820	$ 83,547,720	$ 80,817,231	$ 189,263,843	$ 164,905,051

Change from FY 2022

Governmental Revenue	**$18.8M**	**Business-type Revenue**	**$1.5M**
Governmental Expense	**$6.7M**	**Business-type Expense**	**$1.2M**

***Note:** The expense includes depreciation, pension, and debt principal payments*

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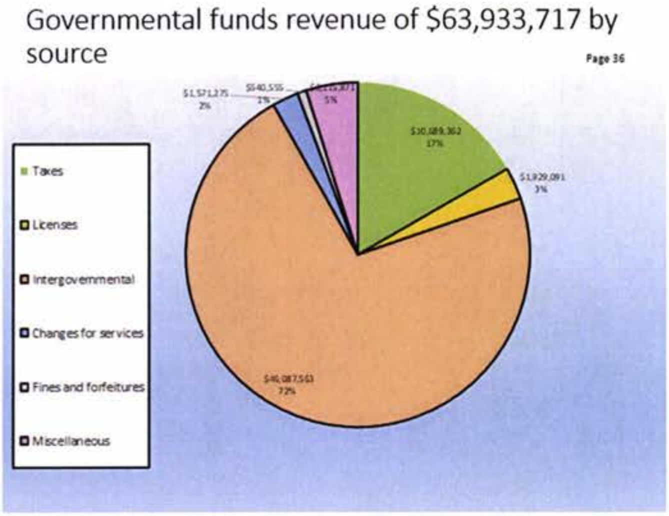

Chairman Scharmann asked where is the money from the Navy? Comptroller Widemann replied that it was still sitting in there and they put $15 million of it in the Ad Valorem Tax Fund that the district court was going to be building out of and $5 million was put into the General Fund to cover flood mitigation. This page shows the revenues in a picture style, so we can see where we are getting revenues. You can see that the inner-governmental was large, and again, that is due to the Navy money.

This slide shows a 10-year trend for revenues. This is from the statistical section so, if you wanted to look at 10 years of what expenditures have been, this is a great section to look at. You can see tax revenues, licenses, governmental, this gives you a snapshot of how they have changed and where they come from over the last 10 years.

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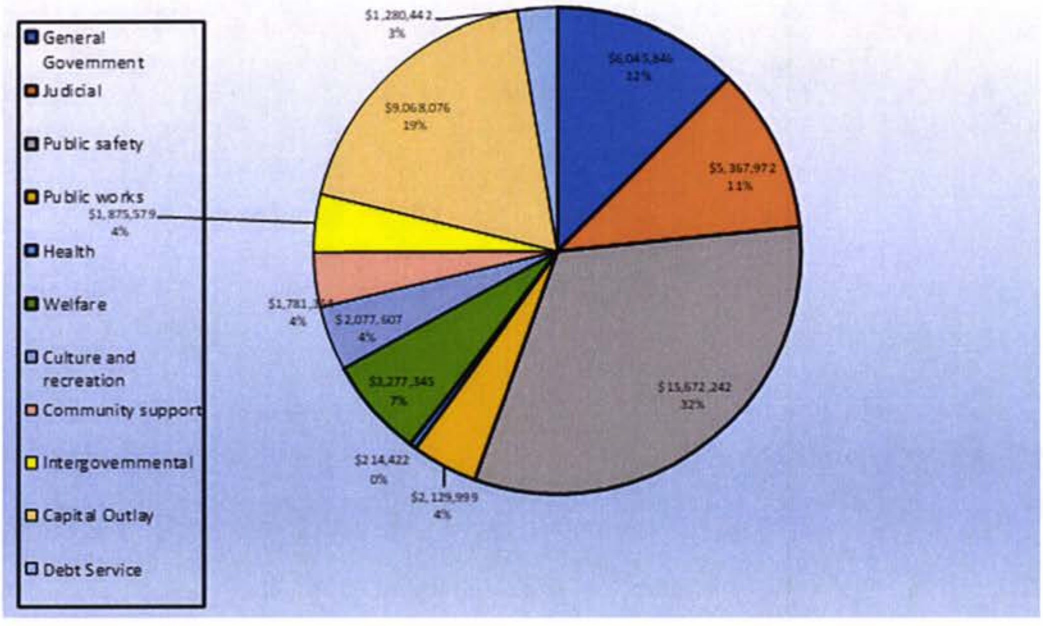
General Government Revenues By Source for the last 10 years page 193

Fiscal Year Ended June 30,	Taxes	Licenses and Permits	Intergovernmental Revenues	Charges for Services	Fines and Forfeits	Interest and Miscellaneous	Total	% Change
2014	8,057,784	426,299	15,934,920	1,083,704	758,791	1,688,440	27,949,938	0.5%
2015	8,529,270	563,707	14,463,708	1,242,500	478,467	1,928,228	27,205,880	-2.7%
2016	9,087,338	793,920	13,837,411	1,272,148	539,451	2,446,582	27,976,850	2.8%
2017	8,167,353	1,022,824	14,495,790	1,280,962	549,907	3,276,448	28,793,284	2.9%
2018	8,663,383	1,290,770	16,598,844	1,327,975	533,486	1,585,135	29,999,593	4.2%
2019	9,251,305	1,559,879	17,427,798	1,422,464	590,092	2,401,615	32,653,153	8.8%
2020	9,376,255	1,639,593	19,659,848	1,278,356	453,816	2,682,900	35,090,768	7.5%
2021	9,820,415	1,709,994	21,890,790	1,447,419	535,194	2,219,330	37,623,142	7.2%
2022	9,863,554	1,659,495	27,787,689	1,573,854	503,748	2,315,781	43,704,121	16.2%
2023	10,689,362	1,929,091	46,087,563	1,571,275	540,555	3,115,871	63,933,717	46.3%

Includes: General, Special Revenue, Capital Projects and Debt Service Funds.

Governmental Funds Expenditure of $48,790,884 by function page 194



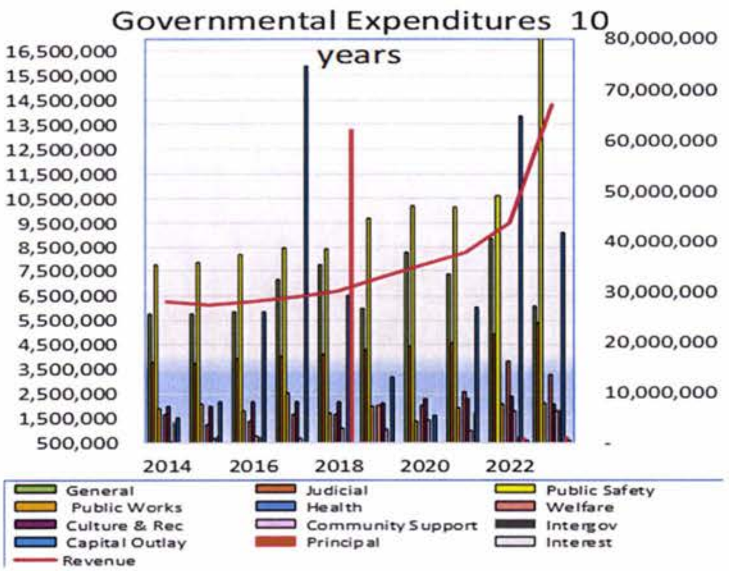
We have a graph of the expenditures and where they come from. Again, the biggest portion here is public safety but that is where we spent the flood mitigation from, which is why it is larger this year. This is on page 194 in the statements.

Governmental Expenditures by Function
Last ten fiscal years Page 194

	General Government	Judicial	Public Safety	Public Works	Health & Sanitation	Welfare	Culture & Recreation	Community Support	Intergov-ernmental	Capital Outlay	Debt Service Principal	Interest	Totals	% Chg
2014	5,745,530	1,751,120	7,765,512	1,898,282	185,074	1,657,994	1,973,347	553,596	1,335,016	1,513,863	-	-	26,379,314	-4.25%
2015	5,782,396	1,717,272	7,846,161	2,075,870	238,713	1,229,988	1,968,570	664,805	790,694	2,155,727	-	3,032	26,473,228	0.36%
2016	5,837,818	1,913,785	8,162,516	1,768,435	249,213	1,365,054	2,157,656	760,391	749,891	5,839,879	-	-	30,804,638	16.36%
2017	7,162,468	1,985,087	8,461,439	2,528,935	251,941	1,645,667	2,169,488	665,063	479,524	15,858,022	-	17,980	43,225,614	40.32%
2018	7,750,612	4,073,982	8,382,431	1,714,917	259,386	1,645,902	2,177,199	1,112,338	392,272	6,489,000	13,305,041	294,410	47,597,490	10.11%
2019	5,995,438	4,278,793	9,703,540	1,961,445	277,435	2,011,637	2,094,855	1,027,198	384,644	3,162,768	301,465	405,339	31,606,557	-33.60%
2020	8,257,433	4,429,904	10,195,318	1,354,530	280,115	2,000,549	2,282,289	1,434,499	392,059	1,619,965	308,749	398,055	32,953,465	4.26%
2021	7,356,495	4,579,569	10,151,831	1,945,151	295,025	2,581,457	2,286,222	1,009,747	1,701,598	6,021,531	318,420	388,384	38,635,430	17.24%
2022	8,838,774	4,950,534	10,597,231	2,077,267	300,295	3,818,300	2,374,082	1,773,084	769,403	13,821,311	687,267	589,675	50,597,223	30.96%
2023	6,045,846	5,367,972	15,672,242	2,129,999	214,422	3,277,345	2,077,607	1,781,354	1,875,579	9,068,076	705,360	575,082	48,790,884	-3.57%

General, Special Revenue, Debt Service and Capital Projects.

The next page gives you the details behind there and where we have been spending our money and the dollar values and the different funds, judicial, public safety, public works, health and sanitation welfare. You can see the percentage changes from the year before on the right side.



This is a graph of the governmental expenditures over the last 10 years and the red line is our revenues. She explained that this is a snapshot of what is in the statements. She asked if there were any questions on those. Chairman Scharmann also asked if there were any questions for our auditors or for Sherry but there were none.

Commissioner Justin Heath made a motion to accept the audit report and related findings for the Comprehensive Annual Financial Report for the Fiscal Year Ending June 30, 2023. Commissioner Myles Getto seconded the motion, which was carried by unanimous vote.

D- Consideration and possible action re: Notice of Application 92989 filed with the State Engineer from Granite Springs Ditch and Pipeline Company, LLC to appropriate water from Granite Springs Valley, Pershing County, for application in Churchill County.

The State Engineer has provided notification that Granite Springs Ditch and Pipeline Company, LLC has filed Application 92989 to appropriate water from Granite Springs Valley in Pershing County for application within Churchill County. The Application and supporting map are provided with the Agenda Report for the board's consideration. Pursuant to NRS 533.363(4), the board is required to publish a legal notice in a newspaper for 3 consecutive weeks, which was done in *The Fallon Post* on November 24, December 1, and December 8, 2023. After the hearing, the board may make a recommendation to the State Engineer, but the recommendation is not binding on the State Engineer.

This application is related to previous applications for underground water rights by this company and similarly situated companies based on theoretically higher annual basin yields than have been previously recorded. This application requests 3,000 Afa be permitted from an underground source within Pershing County that is hydrologically connected to Churchill County. The County has protested and requested denial of similar applications in the past and Chris Mahannah is drafting a protest on the County's behalf for this application.

Chris Mahannah said this is the fifth time I have appeared before this Commission on similar attempts to export water out of Granite Springs Valley over the last 19 years. The map is a summary map of what is intended, with the latest application to appropriate 3,000-acre feet in Granite Springs Valley and pipe it roughly 30 miles to a point of diversion (black dot on map). There is a pipeline alignment going to the southwest to a section of ground (blue square on map) where the proposal is to install 4 center pivots sprinklers and put it to irrigation use.

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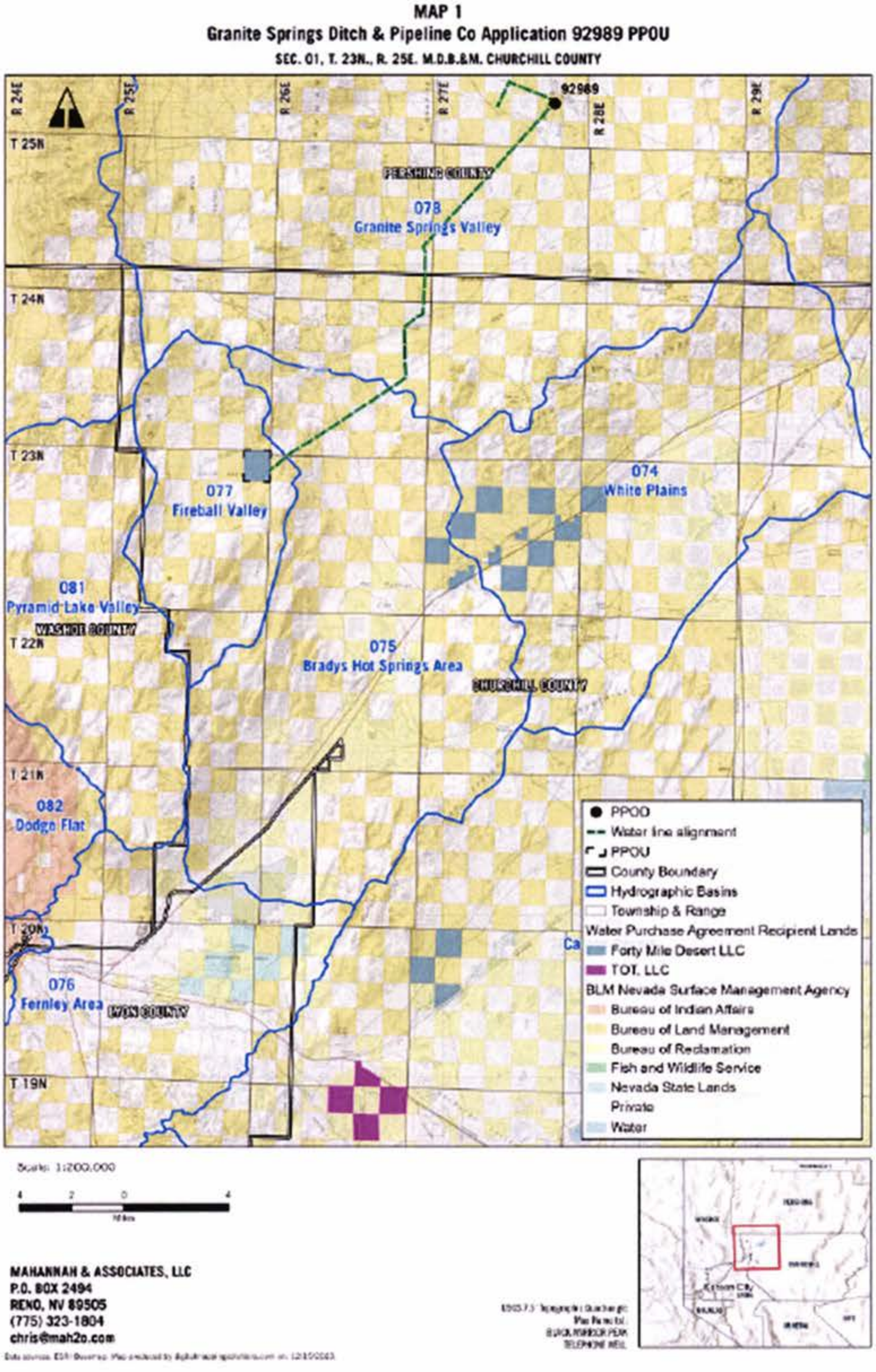

MAP 1
Granite Springs Ditch & Pipeline Co Application 92989 PPOU
SEC. 01, T. 23N., R. 25E. M.D.B.&M. CHURCHILL COUNTY
92989
PERSHING COUNTY
078
Granite Springs Valley
077
Fireball Valley
074
White Plains
081
Pyramid Lake Valley
WASHOE COUNTY
075
Bradys Hot Springs Area
CHURCHILL COUNTY
082
Dodge Flat
076
Fernley Area
LYON COUNTY
R 24E
R 25E
R 26E
R 27E
R 28E
R 29E
T 25N
T 24N
T 23N
T 22N
T 21N
T 20N
T 19N
PPOD
Water line alignment
PPOU
County Boundary
Hydrographic Basins
Township & Range
Water Purchase Agreement Recipient Lands
Forty Mile Desert LLC
TOT, LLC
BLM Nevada Surface Management Agency
Bureau of Indian Affairs
Bureau of Land Management
Bureau of Reclamation
Fish and Wildlife Service
Nevada State Lands
Private
Water
Scale: 1:200,000
MAHANNAH & ASSOCIATES, LLC
P.O. BOX 2494
RENO, NV 89505
(775) 323-1804
chris@mah2o.com

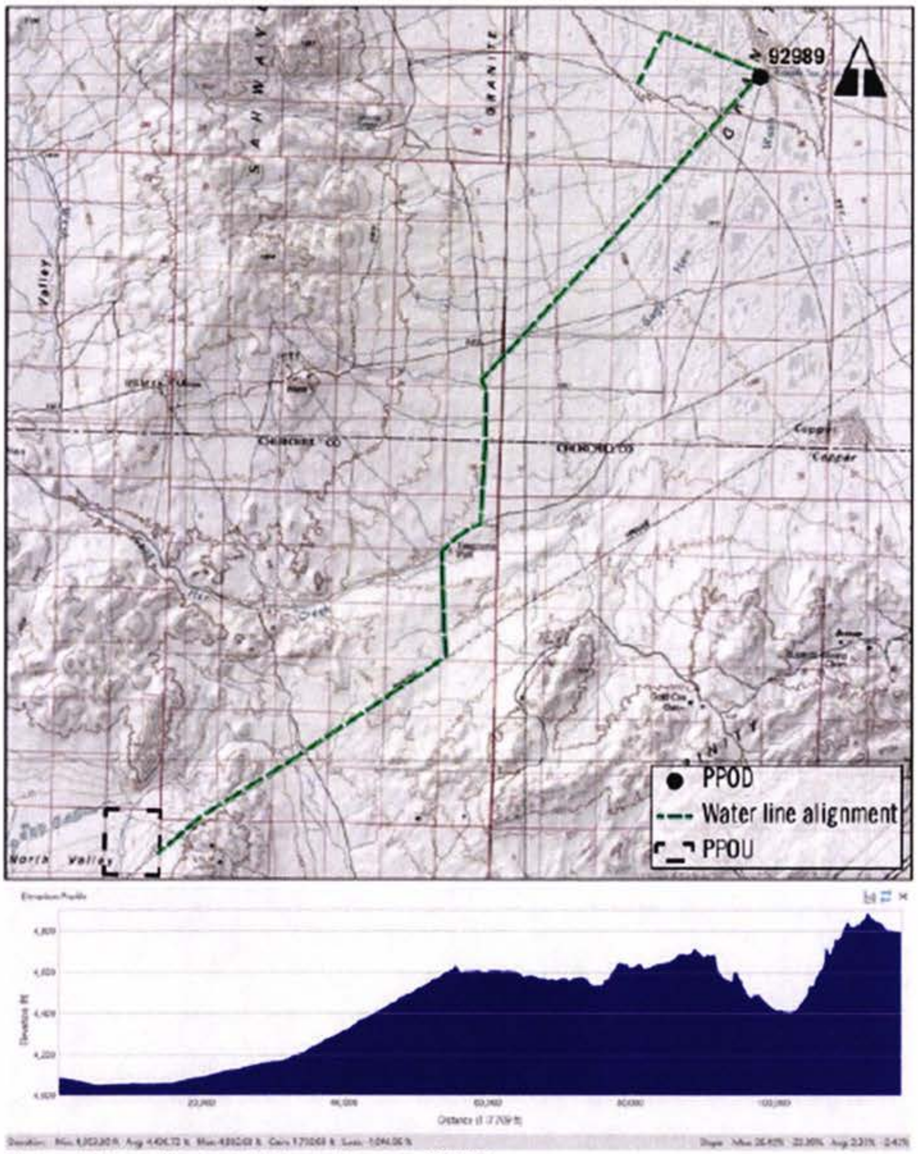
Table 1. SUMMARY OF PRIOR APPLICTIONS SEEKING UG EXPORT FROM GRANITE SPRINGS & KUMIVA VALLEYS

APP#	FILE DATE	APPLICANT	DUTY AFA	USE	PPOU	STATUS	REMARKS
72868-96	5/27/2005	Aqua Trac LLC	38,000	QM	076, 083-085, 087	DENIED	9/17/07: ALL DENIED RULING 5782
73351-57	10/18/2005	Aqua Trac LLC	38,000	QM	076, 083-085, 088	DENIED	
73743-49	1/26/2006	Aqua Trac LLC	88,000	QM	076, 083-085, 089	DENIED	
73919-29	3/1/2006	Aqua Trac LLC	88,000	QM	076, 083-085, 090	DENIED	
74354-57	1/6/2006	Aqua Trac LLC	88,000	QM	076, 083-085, 091	DENIED	
74957-76	10/26/2006	Aqua Trac LLC	130,000	QM	073-096, 099-108	DENIED	
72848-63	5/26/2005	Aqua Trac LLC	30,800	QM	076, 083-085, 087	DENIED	10/18/10: ALL DENIED RULING 6063
74408-10	6/26/2006	Aqua Trac LLC	30,800	QM	076, 083-085, 088	DENIED	
76302-08	9/19/2007	Aqua Trac LLC	76,000	QM	074-096, 099-108	DENIED	
90857-58	7/1/2021	Aqua Trac LLC	15,900	QM	074-077, 101, 102	DENIED	6/6/23: DENIAL LETTER REFERENCING R5782
92875-77	7/5/2023	Granite Springs Ditch & Pipeline LLC	3,500	QM	TOT LLC & Forty Mile Desert, LLC See Map 1.	REJECTED	8/2/23: APPLICATIONS REJECTED & NEVER SENT TO PUBLICATION
92989	9/8/2023	Granite Springs Ditch & Pipeline LLC	3,000	IRR	Sec 1, T.23N., R.25E.	RFP	Application is RFP & references water sales agreement for QM use on same PPOU as 92875-77

Accompanying the application is an agreement (again an export from Pershing County to Churchill County) moving from Granite Springs to Fireball Valley for irrigation purposes. In the supporting information in the application, they have provided a water sales agreement between Granite Springs Pipeline, which is seeking to appropriate this water and TOT LLC and 40 Mile LLC, which own these lands (in magenta color on map near Hazen), which is the Tim Tucker estate properties and the light teal are the 40 Mile LLC parcels. So, although the application for irrigation, the agreement is clearly for a quasi-municipal water project. This is the fifth attempt of Aqua Track and/or now known as Granite Springs Pipeline to export water out of Granite Springs Valley. The upper group on the map were filed in 2005-2006 seeking massive amounts of appropriations out at Granite Springs and, at that time, Cameva Valley a little further to the north. There is a last batch of 130,000-acre feet. Churchill County, C-Punch Ranch, Pershing County, all spent a great amount of time going to water right hearings where it was denied unanimously back in 2007 in Ruling 5782. Another batch was filed shortly thereafter. Again, in 2005 and 2006, it didn't go to a hearing but was denied again with Ruling 6063, which references the prior Ruling 5782. Jumping forward to 2001, they filed three more applications. The amount of water is gradually decreasing. They're down to 16,000-acre feet. This was denied in a letter without a ruling again referencing back to the original ruling. Earlier this year (6 months ago in July), they filed three more applications and reduced the duty, yet again, to 3500 again quasi-municipal. That application was rejected by the state engineer and wasn't even sent to publication. In September of 2023, they filed a fifth application seeking the

3000-acre feet for irrigation. This time, as I mentioned, which is the application before us today and I am recommending that the county protest.

FIGURE 1: Elevation Profile of Proposed Water Pipeline
Granite Springs Ditch & Pipeline Co – Application 92989 PPOU
SEC. 01, T. 23N., R. 25E. M.D.B.&M. CHURCHILL COUNTY



This is a map of the point of diversion up on top, the end point, the section of ground and the lower is a topographical cross-section over roughly 30 miles, where you can see the net elevation gain, which is about 1,700 feet of gain, with considerable pumping costs associated with doing this type of project.

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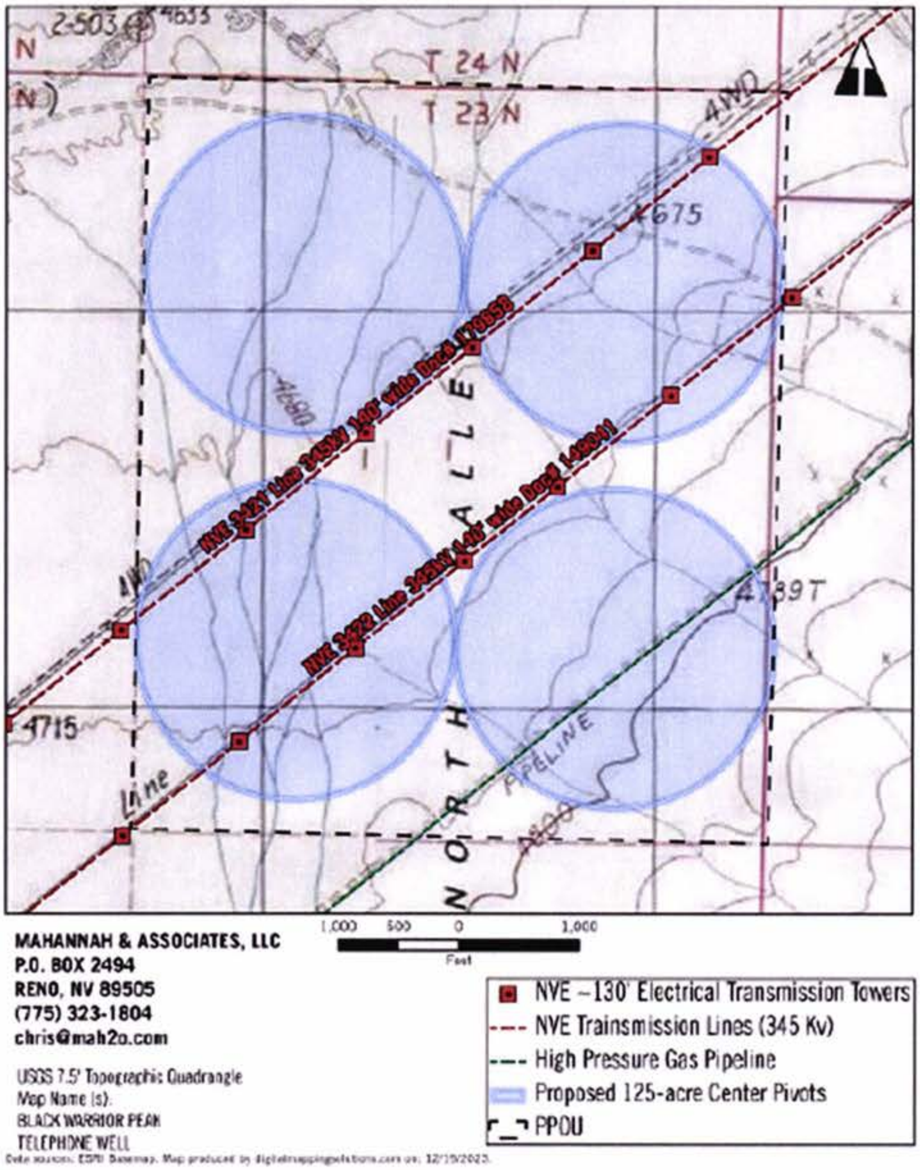
MAP 2: Granite Springs Ditch & Pipeline Co – Application 92989 PPOU

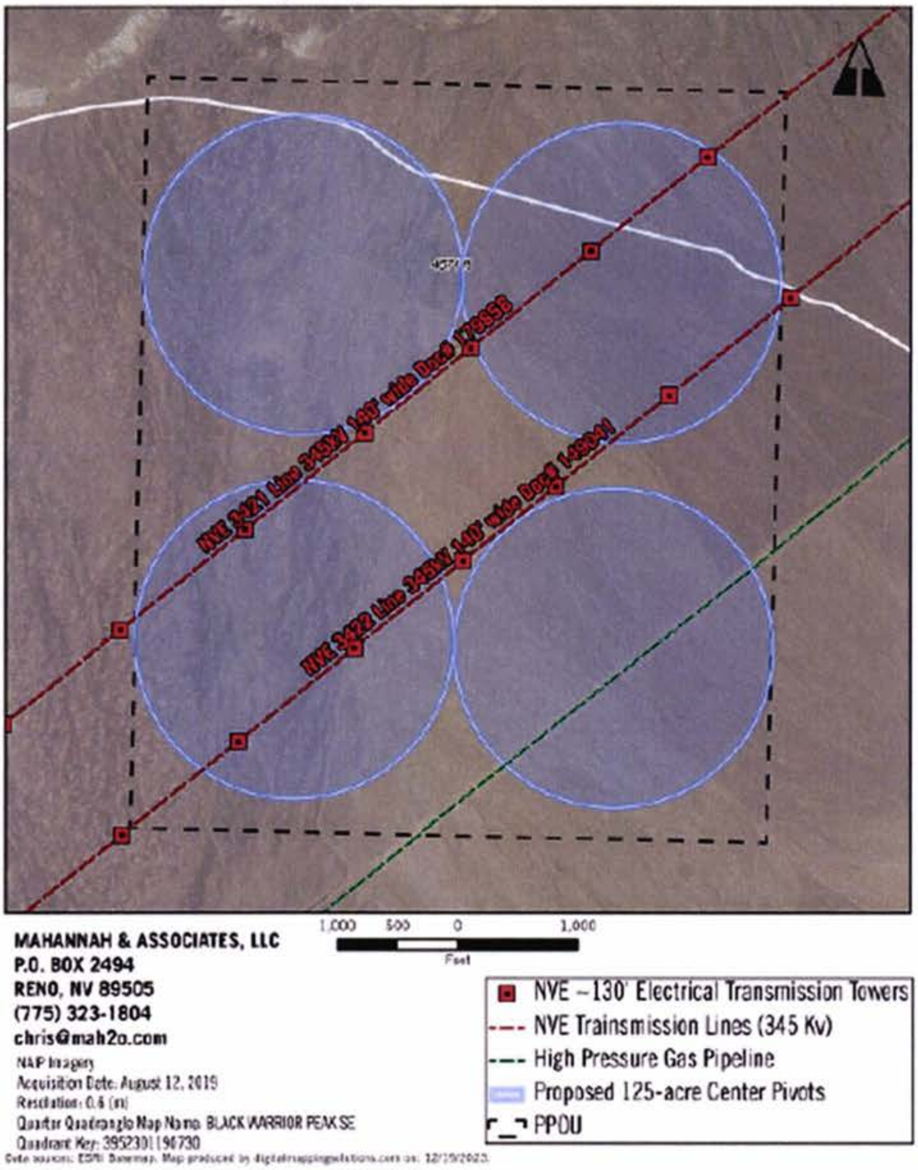
SEC. 01, T. 23N., R. 25E. M.D.B.&M. CHURCHILL COUNTY



I have provided Joe Sanford, Chief Deputy District Attorney, with a draft protest, which states the major provisions, with the first being: 1) The waters are fully appropriated in Granite Springs Valley. The U.S.G.S. estimates the perennial yield of 4,500. Current commitments are at roughly 4,700 and water levels are declining with that current use. The Applicants are claiming some unique technologies, which they presented 15 years ago and were overcome, but they still raise the argument. The project is highly speculative. Part of the reason they were denied the first time is due to anti-speculation that they didn't have an end user or an agency agreement with an end user over the water, so they have created this agreement between Granite

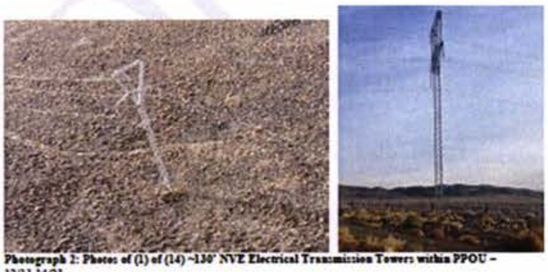
Springs Pipeline and 40 Mile LLC, both of which have the exact same managing partners, so it is certainly not an arm's length agreement, but that apparently is their attempt at getting around the anti-speculation.

MAP 3: Granite Springs Ditch & Pipeline Co – Application 92989 PPOU
SEC. 01, T. 23N., R. 25E. M.D.B.&M. CHURCHILL COUNTY



The things that are different about this is that there is no reasonable expectation that this water would ever be put to beneficial use for irrigation purposes, for multiple reasons. The section of ground (2 red diagonals) is two NV Energy electrical 345 KV transmission lines. There are 14-130 feet towers in the lower area (blue line) that is a buried natural gas pipeline. It would be impossible or a very expensive proposition to reroute a major transmission line. It is evident that the Applicants have never even visited this site. Their water right map states that they drew this section based on county GIS mapping. It's a little surprising that they would not have recognized this before they decided that's where they were going to put the four center pivots. If you don't know what center pivots are, they are above ground, they rotate, and are not compatible with transmission lines. Other factors include the fact that the soil survey for this area, which is rocky soil, it is angulating and it's scattered with volcanic rock. It would be a massive undertaking and grading soil amendments to make it irrigatable. Getting to this site requires a 4-wheel drive truck, along the natural gas pipeline right-away, which is extremely angulating, so there is no way to get a semi-truck in there to install pivots or haul alfalfa to market, which is what they are proposing. It is not economically feasible to pump water 30 miles at that elevation to grow alfalfa. They have estimated the cost to do this, which I believe is underestimated by about $45 million. If you do some back-of-the-envelope economics, the Central Nevada Regional Water Authority (CNRWA) has implemented a water retirement program. They had Hansford Consulting do an economic analysis of an ag operation on the Humboldt and determined that the net revenue from an ag operation on the Humboldt is about $200.00 an acre. If you do the math, times 500 acres putting in four pivots, that is roughly $100,000.00 a year of net revenue. I have not the engineering, but that probably would not even cover the power costs to get the water there, not to mention paying a note on a $45 million construction project. So, in summary, the project I do not believe will ever be built. It is not sustainable hydrologically, economically, or environmentally. The bottom line for Churchill County, if we have water coming in, it needs to be sustainable. The county would be the ultimate party responsible for providing that water if it was ever brought in for purposes.

Photograph 1: Aerial photo of PPOU viewed to the East showing (2) NVE 345 kV Transmission Lines – 12/11/23



Photograph 2: Photos of (1) of (14) ~130' NVE Electrical Transmission Towers within PPOU – 12/11,14/23

12/19/2023 PAGE 2 OF 2 92989_CHURCHILL_TCID PROTEST_EXB A

The upper photograph is an aerial photograph. If you zoom in a little bit, you can see the two powerlines. The lower photos give you an idea of the size of the transmission towers. There are 14 towers just within that section.

Photograph 3: High Pressure Gas Pipeline with transects PPOU – 12/14/23

Photograph 4: Volcanic Rocks which cover ~50% of the PPOU – 12/14/23

There is a gas line that runs through the middle of the project and it shows what at least half of the section looks like. This application will be protested by the Truckee Carson Irrigation District (TCID), Central Nevada Regional Water Authority (CNRWA), Humboldt River Basin Water Authority (HRBWA), and the C-Punch Ranch, which owns all the irrigation rights within Granite Springs. There are 3-4 more entities that likely will protest. I am waiting to get confirmation on them. He asked if there were any questions.

Chairman Scharmann asked if there were any questions, or comments. Commissioner Justin Heath said, if this water right transfer is approved, what damage would Churchill County have, if any? Will Churchill County be responsible for maintaining the pipeline? Commissioner

Heath confirmed that this was to bring water into Churchill County, not transferring it out. Chris confirmed that was correct. Chris said if it's transferred in and used just for irrigation in Churchill County, there should not be any harm. There would be some tax revenue from 500 acres of more agriculture in Churchill County, but it is clear their attempt is to get a permit (a steppingstone) for irrigation, never perfect it, and then file a change on that to the goal of quasi-municipal use in Churchill County. The table, when they first started, was over seven million acres in Northwestern Nevada, which included all of Washoe County, Lyon County, Story County, Churchill County, and going down to Yerington. The concern would be, if that change was placed and some user ended up building a facility requiring that water here in Churchill County and then the water doesn't actually exist and it dries up, we have people who have invested heavily in Churchill County and somehow they are going to need the water, whether that comes from the county or from possibly being ran out of town by not having the water. To follow up, the answer is it would be a harder argument to oppose the transfer from irrigation into Churchill County if that appropriation had already been approved. A big part of this is that the water is just not available in Granite Springs Valley.

Chaiman Bus Scharmann asked is Pershing County dealing with this recommendation? Chris responded that Pershing County has already filed a protest. The reason this is on the Agenda today is because it's an inner-basin, inner-county transfer, so each Commission must hold a hearing just like the one today. Whether Pershing County has done that yet is not known but they have filed a protest. Chairman Scharmann stated they are moving in the direction that this is agricultural. Are they masking that? Are they really looking for housing developments? Chris answered with a strong "yes" and said that is clear with the agreement that is attached to the application. That it is a water sales agreement from Granite Springs Pipeline to TOT LLC and 40 Mile LLC. The lands shown on Map 1 are all in Churchill County. That would be either for quasi-municipal or industrial-type development. That is one of our protest grounds is that the application is confusing on the face of it. If you look at the four corners of the two pages, it's an irrigation transfer, but when you look at the supporting information, clearly that's not their end goal. Chris also stated it is not economically feasible to move major transmission lines, gas lines, and try and irrigate a rock pile.

Commissioner Heath asked Chris if the other areas, being the 40 Mile LLC and the TOT LLC, have water rights? Chris said I haven't researched all of those but, generally, none of them have water rights. The TOT properties, which is the Hazen Industrial Park that has gone back literally generations from Matthews Homes 20-30 years ago and now it's in Mr. Tuckers' estate, they are trying to get water for that project, as well as apparently some of these 40 Mile Desert parcels that are private/checkerboarded in with the BLM stuff.

Chairman Scharmann asked if there were any other question for the board.

Commissioner Myles Getto made a motion to recommend to the State Engineer to deny Application 92989. Commissioner Justin Heath seconded the motion, which was carried by unanimous vote.

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

RCI has been monitoring and involved in a host of issues and projects related to public lands and natural resources in the county. This is an overview and update of those issues.

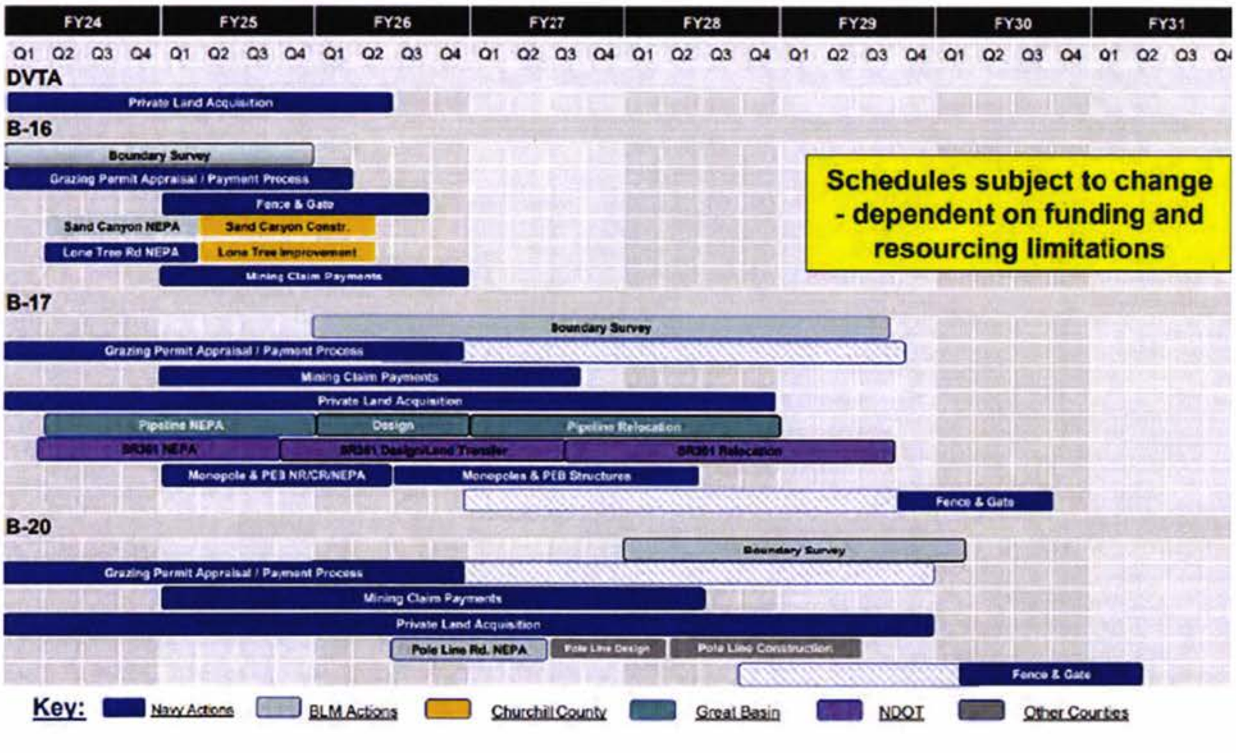
FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

Jeremy Drew, Resource Concepts, Inc., said I appreciate working with the county for another year and Merry Christmas to all. I have several issues that I am tracking, so this is just an update. The FRTC modernization continues to be front and center on their playlist, as they have moved into implementation now that the withdrawal is authorized. They have been meeting for over the last 3-4 months with the BLM Cadastral survey folks, getting the Navy withdrawal boundaries properly described, basically taking our big map from GIS-precision to survey-on-the-ground-precision. I think they have done a good job of conveying their thoughts on it and, for the most part, are in alignment with what those boundaries should look like. The BLM has since moved on to looking at the county conveyances. You should remember there are some significant acreages of direct convenance and convenance and they are now working on that. On the special designation side, all WSA have been released, which is administratively done. There will be NCA, and Wilderness Areas and Special Management Area plans to come, but my suspicion is that it's probably 3-5 years out after the BLM takes care of all the other administrative things associated with conveyances and everything else.



Speaking of a lot of those conveyances, as you will recall, most of the direct conveyances to the county were actually on lands managed by the Bureau of Reclamation, so the BLM and Bureau of Reclamation are meeting twice a week to work through the logistics of how the lands have to go from BOR to BLM and, ultimately, to the county, so that, in addition to the survey, is also in process. As far as the mitigation goes on where the Navy is planning to operate, there is a slide on the bottom of this letter from the recent IUC meeting that outlines their chart for where they're at but in short, the Dixie Valley Training Range will be the number one area to go operational. Primarily, what they are looking for is to buy out the 2,000-2,500 acres of private land that are left. B-16 is a little bit more complex in that they must reconstruct Sand Canyon Road and improve Lone Tree Road. The county has been in discussion with them to make sure that it happens in a manner that meets everyone's expectations and, most importantly, the expectation of the law. This is moving forward. The Navy has funding requests in for both the design and the construction. They are hopeful that the appropriations will come through on that. B-17 and B-20 are further out but some big-lead time items are in process, so, with B-17, they have already started some of the public outreach and are looking for alignments on the realignment of Gabbs Valley Road or the highway, as well as the natural gas pipeline. Another item that just came out is the draft Tribal Programmatic Agreement and Access Agreement that was just published for public comment.

Shifting away from the Navy, some of the other things we are tracking for you all, in June we provided a bunch of comments on the Department of Interior's (DOI) proposed conservation and landscape health rule. This would have shifted how the BLM manages under their multiple use mandates and define conservation as a use, which is an interesting thing coming from someone that considers themselves a conservationist. They haven't heard anything formal but have heard DOI intends to publish a final rule. With Christmas just around the corner, that may be looked at in 2024. They are also proposing new rules for renewable energy in rights-of-way, which would significantly reduce how much a developer must pay for renewable energy projects on public lands. Comments were provided but nothing new. With the solar programmatic EIS that are where the BLM allows solar development across seven western states, I anticipate that will be out for public comment in early 2024. BLM is updating their greater sage grouse RMP, and the county has been involved in this as a cooperating agency and provided scoping comments almost a year ago. They just released 2,000 pages for review between now and December 29th, 2023. This will come out at the end of the first quarter, beginning of the second quarter of next year and we will want to provide comments on it.

BLM Nevada has been floating the idea of moving forward with a statewide Resource Management Plan update, which is pertinent to Churchill County because we got to a final Carson City Resource Management Plan under the Obama administration. When Trump came in, it got put on hold and then the whole thing ended being scuttled. The Carson City plan is out of date and possibly updated a couple in the early 2000s but everything else goes back to the 1990s. This plan needs to be updated. Their intent was to do it on a statewide basis. The Washington D.C. office has not funded this effort, so the BLM's planning efforts remain in limbo, at least for the time being.

One item that would have been of importance to Churchill County, because of some of the public lands grazing it goes on, the DOI had planned on doing some grazing regulation updates, but they have since decided not to move forward with this.

There is not a lot to report on mining, specific to the Fond Away Canyon project. I was out recreating in Churchill County and noticed a very large helicopter towing what looked to be a hula hoop with a big lens on it, so I was very interested. It is a USGS study that includes the eastern two-thirds of Churchill County. It is a modeling project where the lens can shoot subsoil and map subterranean up to 1,000 feet. What they are modeling and looking for is hazards or earthquake faults but also the potential for liquid mineral, such as lithium, and they may think there is a potential for some molly and some gold. I didn't have time to put this information in the update. I will send along a link to the press release on this because of the interest.

NV Energy is still moving forward with their 500 KV project, Green Link North. There is nothing new to report on this. They did the scoping comments in June and will have another document out sometime in 2024. The Vero Fiber Optic Project, which RCI is the cooperating agency on, just went out for review, as well.

There is one more thing to touch on. Earlier in the year, I provided scoping and document specific comments to the Clan Alpine wild horse gather, which was conducted throughout most of the month of November, with 1,600 horses gathered. That should have brought that area within appropriate management levels, which is a good thing. The rest of the slides are specific to the Navy schedule for implementation and roll-out. I will not go through them but would be happy to answer any questions.

Chairman Scharmann asked if there were any questions for Jeremy. He said every time we talk to the BLM about the checkerboard, they seem to pass the question down the road further. Have they developed any guidelines for transfer of lands yet.

Jeremy answered that he thinks they are still working through the logistics of how things go from BOR to BLM to Churchill County. They are working on it, and it is very slow, which is not specific to Churchill County. A lot came through with the NDAA and I give them credit that their staff is thin, and they are maxed out and working on it. There is progress being made, but it is slow.

Chairman Scharmann said I saw they did a horse gather and 1,600 horses is a lot of horses. He asked if the Navy was considering the wild horses in any of this whole operation. Jeremy said most of the Navy withdrawal does not overlap with wild horse and burro areas. It will be interesting to see, once the fences go up, if wild horses and burros move into those areas. While this is not in a wild herd management area there are likely horses and burros in those areas, so it was not a huge component of their Environmental Impact Statement, but a lot of folks do make comments. They will have to see if a couple thousand horses end up in a withdrawal area and how the Navy will deal with it but, at this point, there is not a lot of overlap in formerly designated areas. Chairman Scharmann added that in meetings that he has attended, wild horses are not even discussed. Jeremy says the Navy has been close enough to the issue that they know they don't want to be in the horse management business.

Commissioner Getto said what would that look like if there were wild horses in withdrawal zones? Who would have the authority for that type of situation. Jim Barbie, County Manager, added in that there has been discussion around B-16 and some of the horse population that exists out in that area, by the current permit holder that has been given a two-year notice, and it has been stated on the record that the expectation is that those aren't pushed out onto what remains of the permit once it is fenced. It is not an over-arching big problem in the larger scale of the 600,000 acres that are withdrawn, but there are parts and pieces, and we don't know what it's going to look like, but I think we are going to see the answer because it will have to be dealt with on some level on B16, unless they come off on that one. Chairman Scharmann stated that they only did the gathering in the Clan Alpine.

Jeremy Drew also added, in this case, the herd management area is going to be immediately adjacent to the B-16 and, as County Manager Barbee said, there are some horses that have spilled out of that boundary into the withdrawal area. I suspect he has seen it in other areas. If the Navy ends up with a horse problem on the withdrawal, they will rely on BLM to gather that as part of gathering their adjacent herd management area, so they will consider those horses as they would anytime a horse walks out of the herd area. The challenge with that area is he doesn't believe the NEPA has been cleared. What the permit holder suggests is part of mitigation for losing a significant portion of their allotment is to round up and get the horses into AML. It is not a super high priority because it's hundreds of horses, not thousands of horses like Clan Alpine, but it is something that will have synergy and, if there is a potential for overlap, it's probably going to be on B16 or the north end of B20.
Jeremy suggested that the Navy would rely on the BLM to do the gatherings because he does not think the Navy will want to do it themselves. Chairman Scharmann added that he thought Jeremy was correct. Chairman Scharmann spoke about a lot of horses along the county road, along the west side of the Stillwater Mountains.

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

F- Consideration and possible action re: Ratification of an Agreement between Churchill County Social Services and the U.S. Department of Agriculture, Rural Utilities Service, in the amount of $70,925 for Distance Learning and Telemedicine.
Churchill County Social Services (CCSS) applied for the USDA Distance Learning and Telehealth grant in January 2023 on behalf of the Central Nevada Health District (CNHD). At the time, the CNHD had not obtained SAM's, EIN, and other required approvals to apply directly. The goal of the funds was to increase access across the district to obtain Community Health Nurse services and support via telehealth. The program was designed to train Resource Liaisons in the technology of wife-enabled tables, so they can provide direct support to individuals in the communities on how to access medically necessary services and supports to maintain a safe, healthy, and independent lifestyle.

The funds have been awarded to support the Resource Liaison staffing and the purchase of the tablets. Funds will need to be obtained through an alternative grant or other funding source for the wife services. It was not an eligible activity of the grant.

Churchill County Social Services will enter into a sub-grant Agreement with CNHD to provide the services and CCSS will reimburse CNHD for services provided. CNHD will be responsible for reporting the outcomes and expenditures with back-up documentation to CCSS monthly. CCSS will be responsible for reimbursing CNHD for the approved expenditures, completing requests for reimbursements to USDA federal program, and uploading the outcomes as required.
FISCAL IMPACT: Total $70,925; Match $11,710.
EXPLANATION OF IMPACT: $70,925 Equipment and IT Support (Resource Liaison's). In-kind or cash match will need to be completed by CNHD and be reported monthly to CCSS to provide for USDA as part of the reporting requirements.
FUNDING SOURCE: United States Department of Agriculture.
ACTION REQUESTED: Accept

Social Services Director Ernst 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 Agreement as presented and to authorize the Chair to execute the same. Commissioner Myles Getto seconded the motion, which carried by unanimous vote.

G- Consideration and possible action re: Ratification of a Sub-recipient Agreement between Churchill County Social Services and the Central Nevada Health District for Telehealth Services in the amount of $70,925.
As presented for the USDA Distance Learning and Telehealth grant received by Social Services on behalf of the CNHD, the subgrantee agreement provides details regarding the arrangement to provide funds for the activity. CNHD will be required monthly to provide an invoice with necessary documentation, such as staff timecards, payroll verification, equipment purchase receipts, proof of payment, equipment logs, and matched expenditures monthly, with outcome measurements to Social Services. This will allow Social Services to complete the requirements of the fund to USDA for reimbursement and necessary outcome reimbursements.
FISCAL IMPACT: $70,925.
EXPLANATION OF IMPACT: Funding to support IT and equipment purchases.
FUNDING SOURCE: USDA Distance Learning and Telehealth Services.
ACTION REQUESTED: Accept
Shannon Ernst, Social Services Director continued by pointing out that this appointment was the actual Sub-recipient Agreement that will enter the CNHD. It does outline the duties and what it will look like. CNHD will provide the service of getting the tablets, placing them with I.T. services and providing a report to Social Services. C.C. Social Services will need backup documentation and who received a laptop so this can be reported to USDA to meet their requirements. There is a match requirement of this which would be the obligation of CNHD to

meet. This grant is only for purchase and I.T. support of the laptops. The match can be used for getting a service such as Verizon for the internet. Chairman Scharmann ask if the match would be the $70,925.00, Shannon Ernst replied "No" and she was unsure of the actual amount but thought it might be $17,000.00. When it was looked at during the application process the hope was to have the internet service hook ups, but it was not an eligible activity. They did meet with Verizon at that time to make sure it would be cost effective. Commissioner Myles Getto gave the exact figure of $11,710.00.

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

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

Commissioner Myles Getto made a motion to approve the agreement as presented and authorize the Chair to execute the same. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

H- First Reading - Consideration and possible action re: Bill 2023-B, Ordinance No. 7, an ordinance adding sections 3.12.024 (Pregnancy, Childbirth, and Related Medical Conditions) and 3.12.026 (Reasonable Accommodation for Victims of Domestic Violence or Sexual Assault), and modifying sections 3.32.140 (Standby) and 3.36.050 (Holidays), of Title 3 of the Churchill County Code for those employees under the direct and indirect jurisdiction of the Board of County Commissioners to the extent of the laws permitted by the State of Nevada.

Staff proposes several small changes to Title 3 of the Churchill County Code. The proposed changes are as follows:

- **Pregnancy, Childbirth, and Related Medical Conditions** - In 2017, the Nevada Pregnant Workers' Fairness Act went into effect, to ensure employees have the right to be free from discriminatory or unlawful employment practices based on pregnancy, childbirth, or a related medical condition. While the county has made sure the Act has been implemented and our employees have been protected since the Act went into effect, a policy related to the Act was not added to Title 3 at the time. The policy stipulates that the county will not discriminate against an individual who is pregnant and that the county will provide reasonable accommodation as necessary.
- **Reasonable Accommodation for Victims of Domestic Violence or Sexual Assault** - The Nevada Legislature previously passed legislation requiring employers to make accommodation for victims of domestic violence. This past session, the Legislature expanded the accommodation requirements for victims of sexual assault. The county has already implemented these rules, and passing this bill will place the policies in Title 3.
- **Standby** - Central Nevada Health District (CNHD) is requesting permission to be able to have one hourly employee placed in standby status to respond to emergency calls during non-standard work hours. The proposed bill will give them the ability to designate one employee at a time. CNHD will have to ensure they have funding budgeted for this to implement it. CNHD has also indicated that salaried employees will also take turns being on-call person.

- **Holidays** - The Nevada Legislature officially designated June 19 (Juneteenth) of each year as an officially recognized paid holiday. The proposed change will update Title 3 to reflect this change.

FISCAL IMPACT: $0
EXPLANATION OF IMPACT: The proposed changes will have little fiscal impact. Juneteenth is already budgeted within the budget.
FUNDING SOURCE: General Fund
ACTION REQUESSTED: Accept

TITLE: AMENDMENTS TO PROVISIONS OF TITLE 3

SUMMARY: Bill No. 2023-B, Ordinance No. 7, an ordinance adding sections 3.12.024 (Pregnancy, Childbirth, and Related Medical Conditions) and 3.12.026 (Reasonable Accommodation for Victims of Domestic Violence or Sexual Assault), and modifying sections 3.32.140 (Standby) and 3.36.050 (Holidays), of Title 3 of the Churchill County Code for those employees under the direct and indirect jurisdiction of the Board of County Commissioners to the extent of the laws permitted by the State of Nevada

Geof Stark, Human Resources Director for Churchill County said this is the first reading of the bill, which is updates to Title 3. Some are items we have already had in effect. The pregnancy, childbirth, and related medical conditions was passed by the Legislature in 2017. Churchill County has put all of this into effect, but it is not in the personnel policies. This is a way to make sure our employees are aware. Churchill County will make accommodations for pregnant employees, without discriminating against someone who is pregnant in our employment practices.

The Legislature passed legislation about reasonable accommodations for victims of domestic violence or sexual assault. The concern is to allow these employees to have time off to deal with issues related to these items. These policies have been active but they need to be entered into Title 3 for employees.

The change to standby pay is that we are looking to specify which departments are eligible for standby pay. The CNHD is requesting permission to have one person in that position, so this will allow them the ability to designate that one person. However, they would have to have the budget resources to do this and Churchill County wants to enable them to do so.

The holiday is officially designated June 19 of each year known as Juneteenth. It is already recognized in the NRS and is already recognized as a county holiday, but it is not on the list in Title 3, so it will now be included on the list.

Staff requests the board set a public hearing for January 4, 2024, to consider the proposed changes.

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

Commissioner Heath asked, for the standby pay, is it full pay for the on-call or a certain percentage we must put in place? Geof Stark stated it was a $1.75 an hour for standby pay. Just a set fee for the on-call time. Then, if the employee does get called, then it goes into full pay for a minimum of 2 hours for a call back situation.

Commissioner Justin Heath made a motion to set a public hearing for Bill 2023-B, Ordinance 7, on January 4, 2024. Commissioner Myles Getto seconded the motion, which was carried by unanimous vote.

I-Consideration and possible action re: Approval of staff's recommendation to have Shaw Engineering proceed with Alternative #2 outlined in the Secondary Water Treatment Plant Draft Preliminary Engineering Report to place the new facility at the Fallon Golf Course, complete the environmental review, and finalize the draft report.

On November 22, 2021, this board approved funding in the amount of $295,000 for Shaw Engineering to prepare a Preliminary Engineering Report (PER) for the feasibility and location of a secondary water treatment plant. The PER validated that, to sustain the proposed growth within the county, a secondary plant was necessary and identified 3 alternatives to service this growth: 1. Do nothing with the expectation that growth will stabilize, 2. Expand the existing Sand Creek facility, and 3. Place the secondary plant at the golf course where the existing, non-functioning sewer treatment plant is located. After eliminating alternative #1 as an unviable option, staff reviewed the costs and logistics of the two remaining alternatives and is recommending alternative #2 as the county's best option.
FISCAL IMPACT: None. Cost for completion of the PER is included in the previously approved $295,000.
EXPLANATION OF IMPACT: There is no cost for the completion of the PER. Cost will be identified after receipt of bid proposals for plant construction. The county has received $6,000,000 in funding towards the construction of the plant.
FUNDING SOURCE: Previously approved funding from the Water Utility Enterprise Fund.
ACTION REQUESTED: Accept

Chris Spross, Public Works Director, started with explaining that, back in November of 2021, this board approved funding in the amount $295,000.00 for Shaw Engineering to prepare the preliminary engineering report for our secondary water treatment plant. As part of the draft and/or one of the requirements is to identify alternatives for the placement of the plant. Shaw Engineering has gone through the plan and identified 3 alternatives; (1) Do nothing; (2) construct a new plant at the golf course where the current wastewater plant sits; or (3) expand the current Sand Creek Plant by purchasing property and installing new wells and tanks. After reviewing the report, in consultation with the County Manager and Shaw Engineering, about the cost and the logistics of the three plans, we eliminated #1. Chris Spross brought up a small but critical error in the recommended motion and he wants to make the board aware that staff is recommending that we approve the location for the plant at the golf course. The importance of this, at this stage, is because the draft is complete but the finalized preliminary engineering report states that an environmental review will need to done and the engineer (Shaw) does not want to do reviews on all three alternatives. By selecting one of the alternatives now, that allows Shaw to focus in on that one review and then complete the draft report, which will then be presented in front of this Commission as a finalized draft. Upon approval of that, it will then become our preliminary engineering report. Staff is requesting that the board approve Shaw Engineering's alternative #2, not alternative #3,. If the board is recommending approval, please change the motion to recommend alternative #2, not #3, which is the one that places this at the golf course in the existing location of the water plant. Chris asked if there were any questions.

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

Commissioner Myles Getto made a motion to approve Shaw Engineering proceeding with Alternative #2 outlined in the Secondary Water Treatment Plant Draft Preliminary Engineering Report to place the new facility at the golf course, complete the Environmental Review and finalize the draft report. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

J- Consideration and possible action re: Approval of a construction Contract between Churchill County and MS Construction, in the amount of $99,850, to complete the tenant improvements at the commercial strip mall located at 101 N. Maine Street, Unit 101 and 103, and to reserve up to $25,000 for potential unexpected costs.

As part of the design and construction of the new district courthouse, the old Sheriff's Office will have to be demolished. Currently, this building is still being used by the Sheriff for interviews, interrogations, training, and records/evidence storage. Public Works has been working with the Sheriff's Office and developed a layout in Unit 101 and 103 that will be suitable for interviews/interrogations and training. Evidence and records storage is being addressed under another Contract in a different building.

After finalizing the design, the Public Works Department solicited bid proposals for the tenant improvements. Five contractors were contacted, and the department received two bid proposals for the work. After reviewing the two proposals, the department recommends awarding the construction Contract to MS Construction for $99,850. The Public Works Department further recommends that $25,000 be set aside for unexpected or unplanned contingencies that may need to be addressed through change orders given the relative age of the building. The Public Works Department will work together with the District Attorney's Office to develop the Contract.
FISCAL IMPACT: $99,850 & $25,000, for a total of $124,850.
EXPLANATION OF IMPACT: Cost of construction is $99,850 and potential change orders is $25,000.
FUNDING SOURCE: Building Reserve Fund.
ACTION REQUESTED: Accept

Chris Spross, Public Works Director, made this presentation as outlined above.

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

Commissioner Justin Heath made a motion to approve a construction Contract between Churchill County and MS Construction for tenant improvements at the commercial strip mall located at 101 N. Maine Street, Unit 101 & 103, and to approve an additional $25,000 for potential unexpected costs, for a total approval of $124,850. Furthermore, to authorize the Contract and future change orders to be executed by the County Manager. Commissioner Myles Getto seconded the motion, which carried by unanimous vote.

K- Consideration and possible action re: Adoption of Resolution 32-2023, a resolution endorsing the remodeling of 7 Low Income Housing Projects in Churchill County by American Covenant Senior Housing Foundation, Inc.

American Covenant Senior Housing Foundation, Inc. (ACSHF) is requesting endorsement from Churchill County by resolution for the rehabilitation and continuation of 7 Low Income Housing Projects in Churchill County. Included in the Agenda packet is Resolution 32-2023, the Commission Agenda Item Request completed by Gerald Fritts, Executive Director for ACSHF, and an Agenda Report. It is indicated that 178 units will be improved under this effort. The resolution will be used in ACSHF's Application to the Nevada Housing Division. ACSHF provides that the units will receive Low Income Tax Credits for the Nevada Housing Division and that all units will benefit from the improvements as required by the State. ACSHF anticipates Affordable Housing Program funds from the Federal Home Loan Bank of San Francisco, HOME and National Housing Trust Funds. The LLCs used will be Nevada based with licenses in city and state. ACSHF owns projects in Overton, Panaca, Pioche, and Caliente and they have properties in St. George Utah, Cody, Wyoming, and Bigfork, Montana. The tenants will be qualified for occupancy in the improved units. ACSHF will provide temporary relocation during the unit's rehab. This project is anticipated to start in the fall of 2024 and to be completed one year later.
FISCAL IMPACT: None.
EXPLANATION OF IMPACT: Nothing provided by ACSHF suggests that Churchill County will be required to spend any money. ACSHF indicates they will be spending several million dollars in the local area for both materials and professional services related to the project.
FUNDING SOURCE: ACSHF states that Churchill Group will provide debt, CREA will provide equity through the purchase of tax-exempt bonds, and the remainder will be provided by grants and owner's equity.
ACTION REQUESTED: Adopt

A Resolution Endorsing the Remodeling of 7 Low Income Housing Projects in Churchill County by American Covenant Senior Housing Foundation, Inc.

Mr. Gerald Fritts, with American Covenant Senior Housing Foundation, stated that they are in the process of acquiring these seven different projects and combining three of them into "Fallon Family Housing" and the additional four into "Fallon Senior Housing". These are USDA 515 Projects that carry rental assistance, so they are for the very low income, these projects are at least 15 years old, some much older and they need to be updated to comply with the current Disability Act issues, as well as just updates for insulation and other elements of housing. They are proposing that the total of the two projects would be approximately $32,000,000.00, at this point, which includes the acquisition. They would appreciate Churchill County's endorsement of the project.

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

Commissioner Myles Getto made a motion to adopt Resolution 32-2023, a resolution endorsing the remodeling of 7 Low Income Housing Projects in Churchill County by American Covenant Senior Housing Foundation, Inc. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

L- First Reading - Consideration and possible action re: Bill 2023-C, Ordinances 12 and 13, an ordinance amending Title 5 of the Churchill County Code to clarify the persons required to receive business licenses for special events, update persons required to receive employment certificates, remove the transmittal of fingerprint records by the Sheriff to unauthorized parties pursuant to Nevada Revised Statute, amend liquor license fees to be due on an annual basis, and other related matters thereto.

The Churchill County Sheriff requested a review of the current Title 5 in Churchill County Code to bring the Churchill County procedures for liquor license applicants in line with surrounding counties and address frustration from his department and the public regarding the quarterly payment of liquor license fees. In addition, the Churchill County District Attorney's Office is performing a code review of each title and solicited input from the Sheriff and Planning Department regarding any other concerns associated with Title 5.

Joe Sanford, Deputy District Attorney started discussion about the ordinance brought to him by the Sheriff's office, as well as some of the business owners that have been struggling with issues related to liquor license fees as well as employment certificates and since they were working in this area they also did updates to Title 5 as it relates to the business licenses and business license requirements for certain types of events. The first thing that occurred is the special events were exempted for persons utilizing the Churchill County Fairgrounds. This has been expanded to address any Churchill County facility instead of just specifically the fairgrounds. Particularly as it relates to the employment certificates as it currently occurs, any person operating either a gaming or alcoholic beverage facility is required to its employee's fingerprinted and certified by the sheriff's office prior to their employment. This is not how it works in an of our surrounding jurisdictions including the city. Rather it is placed as the burden of the employer to work and certify their own employees and then the sheriff would work on it as a licensed revocation for people who are hiring people that should not be hired. There are some current requirements in our code that when the sheriff runs a background check on an applicant that they will transmit the results of that background check to the county commission. This is not allowed by transmittal of background information directly to the county commission. This would remove that step and instead have the sheriff just provide an opinion as to whether a person is or is not eligible to receive a liquor license. The liquor licenses fees are currently due on a quarterly basis, this leads to sheriff office personnel having to track people down whenever they forget on a quarterly basis. It is recommended that this be changed to once per year.

The public identified that the requirement that liquor licenses are granted on a quarterly basis is cumbersome and leads to significant wasted hours on both the business and Sheriff's department. This ordinance amends Chapter 5.24 to establish annual liquor licensing. The Sheriff further identified that Churchill County is the only jurisdiction requiring employment certificates, with full background check, for employees of alcoholic beverage and gambling operators. Other counties and the City of Fallon put this burden on the employer, which matches the capacity of the Sheriff for enforcement. This issue is most prevalent when an operator within the city wishes to operate for an event in the county. Each employee must be fingerprinted and licensed before the event, which incurs significant cost and reduces event options. This ordinance would remove the need for an employment certificate but continue to prohibit employment of certain individuals. Operators who willfully employ prohibited individuals could have their license revoked.

This ordinance further makes minor clarifying changes to the code as part of the code review process. Specifically: (1) non-profit organizers of special events are not limited to the fairgrounds but are allowed at any county-owned or leased facility (2) various changes to the fingerprint procedure to prevent the unlawful dissemination of criminal records, (3) removal of concealed carry weapon permit owners from fingerprinting as a business and leaving that to the procedure set forth in NRS.
FISCAL IMPACT: Negligible reduction in employment certificate fees.
EXPLANATION OF IMPACT:
FUNDING SOURCE:
ACTION REQUESTED: Set Public Hearing

Title: Bill 2023-C, Ordinances 12 and 13 - BUSINESS & LIQUOR LICENSES REVISIONS

SUMMARY: TIDS BILL REVISES PORTIONS OF TITLE 5 OF THE CHURCIDLL COUNTY CODE RELATED TO THE ISSUANCE, RENEWAL, AND REQUIREMENTS OF BUSINESS AND LIQUOR LICENSES AND OTHER MATTERS RELATED THERETO.

Joseph Sanford, Deputy District Attorney, 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 set a public hearing for January 4, 2024, on Bill 2023-C, Ordinances 12 and 13. Commissioner Myles Getto seconded the motion, which carried by unanimous vote.

M- Update and notification of current status of re-transmission consent agreement negotiations from CC Communications.
Chairman Scharmann asked if anyone was here to represent. Deputy Clerk to the Board, Pamela Moore mentioned that she was expecting Mark Fess to be present. Deputy District Attorney Joe Sanford said that he will give an update on this subject. As the franchise authority for cable and television this board has some control of information about the transmission of video broadcast. Presently the way transmission works is when a carrier such as ABC, NBC,

FOX, etc. They broadcast of the air but if we want to include them in the cable TV package, they need to be paid a retransmission fee. This fee has been rising significantly over the years to the point that the cost has become prohibitively expensive for carriers. Recently Charter and Disney had a fight, as Disney was not available on the air as it relates to this exact same issue. CC Communications is having a similar situation with the same major carriers, and it may result in some of these channels going dark starting January 1, 2024, unless negotiations can prove. This would be for CC Comm customers as well as potentially Charter customers if they have the same issue, that is not clear at this time. They have a separate agreement, obviously have a different negotiating leverage and power given their size.
As the cable TV franchising authority for Churchill County, Nevada, the Board of County Commissioners is impacted by the distribution of television services throughout the County. CC Communications will provide an update on the status of re-transmission consent agreement negotiation, and the potential impact to off-air stations on January 1, 2024.
FISCAL IMPACT: None; informational only.
EXPLANATION OF IMPACT:
FUNDING SOURCE: N/A
ACTION REQUESTED: None; Informational Only

In the absence of Mark Feest, General Manager of CC Communications, Civil Deputy District Attorney Joe Sanford said, as the franchise authority for cable and television, this board has some control and information about the transmission of video broadcast. Presently, the way retransmission works, is when a carrier, ABC, NBC, or Fox, etc., broadcasts over the air but, if we want to include them in a cable television package, we have to pay them what is called a retransmission fee. That fee has been rising significantly over the years, to the point that the cost has become prohibitively expensive for carriers. You may have seen recently that Charter and Disney had a fight and that resulted in Disney not being available on the air as related to this exact same issue. We are having similar situations through CC Communications with the same major carriers and it may result in some of these channels going dark, starting January 1, 2024 unless negotiations improve. That would be for CC Communications' customers, as well as, potentially, Charter's customers if they have the same issue. It is not clear, at this time, as they have a separate agreement and, obviously, have a different negotiating leverage and power given their size.

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

Letters Received:

A- Nevada Division of Environmental Protection's notification of its concurrent with the Final Annual Groundwater Monitoring Report for Installation Restoration Program Sites 1 and 14, Naval Air Station Fallon, Nevada.

The Nevada division of Environmental Protection (NDEP), Bureau of Corrective Actions Department of Defense Branch has reviewed the Final Annual Groundwater Monitoring Report for Installation Restoration Program Sites 1 and 14 GMR was received by the NDEP and prepared on behalf of Nava Facilities Engineering Systems Command Southwest (NAVFAC SW).

The Final Sites 1 & 14 GMR summarizes the results of semiannual groundwater monitoring conducted at Installation Restoration Program (IPR) Sites 1 & 14 in October 2022 and March 2023. The monitoring program was optimized and included refining the number of wells sampled across both IPR sites from 16 to 11 and increasing the monitoring frequency semiannually for two years.

The estimated groundwater flow direction was towards the southwest at a gradient of 0.001 to 0.025 feet/foot. This is consistent with the historical groundwater flow throughout the facility.

Free product was observed in one well below the Nevada State Action Level. This is the first time that a free product has been observed at IRP site 1. Free product was not observed in other monitored wells at IRP Sites 1 or 14.

Site contaminants of concern (COCs) were detected in eight of eleven sampled wells above project remedial goals (RGs). The trend analyses indicate that the plumes at both IRP Sites are generally stable or decreasing, with the exception.

Based on the results of the October 2022 and March 2023 groundwater monitoring events, the Final sites 1 & 14 GMR recommend the following:

1. Continue the semiannual groundwater monitoring program as planned in September 2023 and February 2024.
2. Evaluate IRP sites 1 & 14 for a groundwater exemption closure following the February 2024 monitoring event if the monitoring results meet the exemption criteria.
3. Remove COCs from the analysis program that are not driven by a domestic use exposure pathway basis. These COCs have been sampled to assess risk from the vapor intrusion pathway; however, vapor intrusion risk was addressed in 2022 as part of a comprehensive vapor intrusion risk assessment at IRP Site 14.

FISCAL IMPACT: N/A
EXPLANATION OF IMPACT: N/A
FUNDING SOURCE: N/A
ACTION REQUESTED: None; Informational Only

B - Submission of the Carson Water Sub Conservancy District's Audited Financial Statements for Fiscal Year Ending June 30, 2023.

The Carson Water Sub Conservancy District submits its Audited Financial Statements for Fiscal Year Ending June 30, 2023, for the board's review and public interest.
FISCAL IMPACT: N/A
EXPLANATION OF IMPACT: N/A
FUNDING SOURCE: N/A
ACTION REQUESTED: Accept

C- Governor's Office of Energy's notification that EGP Stillwater Solar provided its Annual Compliance Report, which has been found to be in compliance with the terms of the Abatement Agreement.
The Governor's Office of Energy provides notification that EGP Stillwater Solar provided its Annual Compliance Report, which has been found to be in compliance with the terms of the Abatement Agreement.
FISCAL IMPACT:
EXPLANATION OF IMPACT: N/A
FUNDING SOURCE: N/A
ACTION REQUESTED: None; Informational Only

D- Department of Health and Human Services' (DHHS) summary of Child Protective Services (CPS) costs assessed to Churchill County.
The attached summary of Child Protective Services (CPS) costs assessed to Churchill County, the number of children served in the preceding Fiscal Year, and the projected biennium budget based upon the number of children projected to receive child protective services by the Division of Child and Family Services, Department of Health and Human Services.

STATE FISCAL YEAR (SFY) 2023:
The legislatively approved assessment: $403,257.00;
The actual cost of CPS for Churchill County is $375,794.03;
The refunded issued to Churchill County was $-27,463.19;
The difference is $0.22 (this is not an invoice; no additional amount is due).

LEGISLATIVELY APPROVED ASSESSMENT STATE FISCAL YEARS 2024 AND 2025:
SFY 2024: $389,575;
SFY 2025: $400,519;
FISCAL IMPACT: N/A
EXPLANATION OF IMPACT: N/A
FUNDING SOURCE: N/A
ACTION REQUESTED: None; Informational Only

New Business:

NRS 361.595 provides for the sale of any property held in trust by the Churchill County Clerk/Treasurer for unpaid taxes. A list of properties currently held in trust for unpaid taxes is provided with this Resolution and marked as Exhibit "A". This resolution directs Linda Rothery, Churchill County Clerk/Treasurer, or her duly authorized Deputy, to sell said trust properties to the highest bidder for cash of a total amount not less than the amount of taxes, costs, penalties, interest, and recording fees legally chargeable against the property.

The Clerk/Treasurer has contracted with a company to conduct the tax sale virtually again this year. The tax sale is scheduled for April 18 and 19, 2024. Deadlines have been established pursuant to statutes whereby the taxpayer can pay the amount due and keep the property from

being sold. Therefore, the list of properties sold may be different. If all properties are redeemed, no tax sale will take place.
FISCAL IMPACT: Not known until the tax sale is conducted or taxes are redeemed.
EXPLANATION OF IMPACT: Either the unpaid taxes will be paid and deposited, or the tax sale will take place, but it is unknown at this time if any parcels will be sold.
FUNDING SOURCE: General Fund.
ACTION REQUESTED: Adopt
Resolution 31-2023 Authorizing Tax Sale 2024

Linda Rothery, Clerk/Treasurer, 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 adopt Resolution 31-2023 authorizing the sale of property held in trust by the Churchill County Clerk/Treasurer for unpaid taxes and directing publication of the Notice of Tax Sale as provided by NRS 361.595(3)(a). Commissioner Myles Getto seconded the motion, which carried by unanimous vote.

1:55 PM B- Consideration and possible action re: Reappointment of Josh Berney and John Wyatt Getto to serve another term as regular members and Rachelle Lunger to serve another term as an alternate member on the Board of Equalization through December 31, 2027.
Commission Myles Getto stated since he is the brother of John Wyatt Getto, he will abstain from comment or vote on this item.
County Manager Jim Barbee said that the staff does recommend the reappointments mentioned above and would ask to re-appoint.
The Churchill County Board of Equalization (BOE) has the authority and is directed to determine the valuation of any property assessed by the County Assessor. Based upon such a determination, the Board of Equalization may change the correct valuation found to be incorrect as it is necessary to make it conform to the taxable value of the property assessed. The Board of Equalization is comprised of five (5) members and one (1) alternate appointed by the Board of County Commissioners, who serve four (4) year terms.

Josh Berney and John Wyatt Getto are regular members whose terms expire on December 31, 2023. Rachelle Lunger is an alternate member whose term expires on December 31, 2023. All these members have expressed the desire to continue serving for another four (4) year term. All these members understand the duties and responsibilities of the board. Staff recommend their reappointment to the Board of Equalization.
FISCAL IMPACT: N/A
EXPLANATION OF IMPACT: N/A
FUNDING SOURCE: N/A
ACTION REQUESTED: Accept

Jim Barbee, County Manager, made this presentation as outlined above.

Commissioner Getto disclosed that he will abstain, as John Wyatt Getto is his brother.

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

Commissioner Justin Heath made a motion to reappoint Josh Berney and John Wyatt Getto as regular members and Rachelle Lunger as an alternate member to the Board of Equalization through December 31, 2027. Commissioner Harry Scharmann seconded the motion, which carried by majority vote, noting the abstention of Commissioner Getto.

C- Consideration and possible action re: Reappointment of Jaime Sammons to the Churchill County Cemetery Board.

The Cemetery Board is an advisory board comprised of three (3) members, representing the public at large, who are to be appointed by the Board of County Commissioners. Terms are four (4) years from the date of appointment. On December 15, 2021, initial appointments to re-establish the board were made with one member serving a four (4) year term, one member serving a three (3) year term, and one member serving a two (2) year term (Jamie Sammons), so that all board members' terms were staggered. All subsequent terms shall be four (4) years. Jaime Sammons was appointed to a two-year term on December 15, 2021, and she has expressed interest in serving another term.

Recommendation is being made to reappoint Jaime Sammons to a 4-year term, effective December 15, 2023, with consideration of the applicant's experience/service, and understanding of the duties and responsibilities related to the appointment.
FISCAL IMPACT: N/A
EXPLANATION OF IMPACT: N/A
FUNDING SOURCE: N/A
ACTION REQUESTED: Accept

Jim Barbee, County Manager, 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 reappoint Jaime Sammons to a 4-year term on the Churchill County Cemetery Board. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

D- Consideration and possible action re: Approval of an advanced step placement of Richard Ingram as Emergency Manager, hiring him at Step 7 of Grade 59 ($36.55/hour).

Staff is requesting to be able to hire Mr. Ingram with an advanced step appointment, hiring him at Step 7 of the pay range ($36.55/hour). Title 3 allows for an advanced step placement "to employ a person who possesses superior qualifications". Such an advanced step appointment must be approved by the Board. Mr. Ingram has over 27 years of law enforcement experience, having worked at the Churchill County Sheriff's Office that entire time, and eventually leading the department as the elected Sheriff. The law enforcement experience did not end there, as he has also performed court security for the Federal Court for the past 10 years. Mr. Ingram is very

familiar with the county and has worked in a leadership role through a variety of emergency situations.
FISCAL IMPACT: Approximately $6,000
EXPLANATION OF IMPACT: The impact was calculated by determining the cost difference between Step 1 and Step 7 of Pay Grade 59. The impact includes wages and benefits for a full 12 months, based on 19 hours per week worked. There have likely been some salary and benefits savings during the current Fiscal Year since the position has not been filled for the past six months.
FUNDING SOURCE: General Fund; Emergency Management Grants
ACTION REQUESTED: Accept

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

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

Commissioner Justin Heath made a motion to approve the advanced step placement of Richard Ingram as Emergency Manager, hiring him at Step 7 of Grade 59 ($36.55/hour). Commissioner Myles Getto seconded the motion, which carried by unanimous vote.

E- Consideration and possible action re: Approval of Job Description and Pay Grade for CNHD Public Health Preparedness Planner.

The Central Nevada Health District approved the position of CNHD Public Health Preparedness Planner in their budget for FY 23-24. They are now ready to recruit for the position and need to have a job description approved and to have the position assigned to a pay grade. This is up for action at the CNHD Board meeting on December 14, 2023. If approved by that board, the Board of County Commissioners is requested to approve the position and pay grade so it can be assigned to the county's compensation system and so the county can begin recruitment for the position on behalf of CNHD. The job description has been drafted by Churchill County Human Resources and reviewed and approved by CNHD Administrator Daren Winkelman. The recommended pay grade is 55 ($59,300 to $79,800). This is the same pay grade as the Environmental Health Specialist, which has similar job requirements and whose manager is at the same pay grade as the manager position over the Public Health Preparedness Planner.
FISCAL IMPACT: $0
EXPLANATION OF IMPACT: There is no fiscal impact because the position was budgeted in the FY 23-24 budget.
FUNDING SOURCE: N/A
ACTION REQUESTED: Accept

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

County Manager Jim Barbee has a question for Deputy D.A. Joe Stanford. He said I thought that action had been taken by the Commission giving CNHD authority to do these job descriptions and Pay Grades on their own.

Deputy D.A. Joe Sanford stated that the Commission had authorized CNHD to make any advanced steps that were being made for any employee, but he believes this one to be an entirely new position that has been created and this was not included in the prior discussion. Geof Stark stated for the record that was his understanding, as well. As they deal with having CNHD as county employees, Title 3 states all job descriptions for county employees must be approved by the Board of County Commissioners and assigned a Pay Grade by the board, as well. County Manager Barbee said that is why I was asking, for clarity, because I know some action was taken and was not totally incorrect but didn't know if the request was redundant on a prior approval for CNHD because they are a separate entity. Deputy D.A. Joe Sanford mentioned that CNHD was authorized, when they fill this position, to fill it with any employee at any step that they feel is appropriate, but they have not been authorized to create positions within the county. Geof Stark stated a lot of this is just a "housekeeping" issue for the county for the personnel side. The job description for Public Health Preparedness Planner, for CNHD was approved by the CNHD Board last week, they assigned the Pay Grade 55, which is the recommendation, so this comes before the board so it can be formally approved by the county board and brought into the inventory of jobs, so it will be known what the Pay Grade is for the position and be able to attend to it. HR Director Stark said CNHD has the liberty to hire any step within the Pay Grade that works within their budget, so it would not be presented to the board again for any additional approvals of advanced step placement.

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

Commissioner Myles Getto made a motion to approve the job description for Public Health Preparedness Planner, assign it to pay grade 55, and authorize the hiring for the position. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

F- Consideration and possible action re: Election of Chair and Vice-Chair positions for the Board of County Commissioners, Highway Commission, and CC Communications Management, and designation of board or committee assignments for 2024.

FISCAL IMPACT: N/A
EXPLANATION OF IMPACT: N/A
FUNDING SOURCE: N/A
ACTION REQUESTED: Other

Each year, the board elects the position of Chair and Vice-Chair for the Board of County Commissioners, Highway Commission, and CC Communications Board, as well as appointing the Commissioners to serve on various boards and committees. The current list of assignments is provided for consideration. It is once again time that the board make the elections and appointments for these positions and boards/committees for the upcoming year.

Jim Barbee, County Manager, made this presentation as outlined above.

Commissioner Heath asked Deputy Clerk to the Board, Pamela Moore, if this needed to be now or at the meeting or in January 2024. She said that it can be done now since there will not be a change in Commissioners. Following an election year, it is done in January so the newly elected Commissioners can be considered and vote on the matter. Commissioner Heath said I think the motion is wrong because it mentions Greg Koenig in the board action. Deputy Clerk Moore apologized and asked the board to disregard that and list what action they want and she will let the record reflect the board's decision.

Jim Barbee said that I know there are changes and those that may be looking at an office under the next election process. He asked the board to take that into consideration as you look at who you may select as Chair for the Commission. Chairman Scharmann stated he would stay if needed, but he thinks it would be a good change to Commissioner Getto. Commissioner Getto asked Commissioner Scharmann to be Vice-Chairman, which he accepted. It was brought up who should be the Chair of the Highway Commission. Commissioner Heath stated he would continue with that appointment. Commissioner Getto asked to keep CC Communications and Chairman Scharmann agreed.

Deputy Clerk Moore told the board they needed a Vice-Chairman for CC Communications and the Highway Commission. It was decided that Commissioner Scharmann would be Vice-Chairman for CC Communications and Commissioner Getto would be Vice-Chairman for the Highway Commission. The board also expressed a desire to keep all of the board/committee assignments, except for the elections listed above, the same.

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

Commissioner Justin Heath made a motion to approve the election of officers and committee assignments as discussed. Commissioner Myles Getto seconded the motion, which carried by unanimous vote.

G- Consideration and possible action re: Issuance of a Request for Proposals to develop 2255 Casey Road for commercial public accommodation.

The Casey Road Mobile Home Park was acquired by the county with a look towards creating a nice commercial gateway into the community. The property is 2255 Casey Road, APN 008-361-11, and consists of 1.87 acres. The property has existing connections to the county sewer and water system. The property has easy road access to recreational facilities, such as the Rafter 3C Arena, Sand Mountain, and Stillwater Refuge.

The RFP focuses on the community need for appropriate public accomodation facilities, such as motels and hotels. The property sits adjacent to 8.7 acres of private property listed for sale, potentially enabling larger commercial enterprises or boundary line adjustments to meet the needs of several different enterprises.

As the property requires remediation to remove the condemned buildings and mobile homes, the successful proposer will need to include a plan of action to clean the property prior to close of escrow.

FISCAL IMPACT: None.
EXPLANATION OF IMPACT: N/A
FUNDING SOURCE: N/A
ACTION REQUESTED: Accept

Joseph Sanford, Civil Deputy DA, made this presentation as outlined above.

Commissioner Myles Getto made a motion to approve the issuance of a Request for Proposals to develop 2255 Casey Road for commercial public accommodation. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

H- Consideration and possible action re: Adoption of Resolution 33-2023 authorizing the District Attorney to file and enforce liens in code enforcement cases exceeding $5,000.00.

Churchill County Code Title 1 Chapter 1.12 establishes the Code Enforcement Officer as the authority to inspect property for violations of Churchill County Code and issue fines for non-compliance. Chapter 1.12 further establishes the authority of the Code Enforcement Officer to establish a lien against a property owner for failure to pay fines and fees and to take the necessary action to enforce those liens.

This resolution authorizes the District Attorney's Office to take legal action as necessary to assist the Code Enforcement Officer in the collection of fines and fees by assisting in the perfection of a lien and ultimate collection on those liens. This could include action to foreclose on property pursuant to the lien. At this time, it is recommended that this action be limited to cases above $5,000, with smaller fines and fees continuing to be resolved through the Code Enforcement Officer.
FISCAL IMPACT: None.
EXPLANATION OF IMPACT: N/A
FUNDING SOURCE: N/A
ACTION REQUESTED: Accept

A RESOLUTION AUTHORIZING THE CHURCHILL COUNTY DISTRICT ATTORNEY'S OFFICE TO ESTABLISH AND ENFORCE LIEN AND COLLECTION ACTIONS FOR CODE ENFORCEMENT NON-COMPLIANCE.

Joseph Sanford, Deputy District Attorney, 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 adopt Resolution 33-2023 authorizing the Churchill County District Attorney's Office to file and enforce liens in code enforcement actions exceeding $5,000.00. Commissioner Myles Getto seconded the motion, which was carried by unanimous vote.

I - Consideration and possible action re: Authorization for counsel to pursue dismissal of the remaining defendant in the opioid litigation.

The Opioid Litigation is entering its final resolutions from active litigation. All parties have settled, with the sole remaining defendant being an individual with limited to no assets. It is the recommendation of our counsel and the District Attorney's Office to dismiss our remaining claims against Derek Braddix, APRN.
FISCAL IMPACT: N/A
EXPLANATION OF IMPACT: N/A
FUNDING SOURCE: N/A
ACTION REQUESTED: Accept

Joseph Sanford, Deputy District Attorney, 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 authorize our counsel to dismiss claims against the remaining defendant in the opioid litigation. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

J- Consideration and possible action re: Removal of Jim Barbee as one of the Churchill County representatives on the Central Nevada Health District (CNHD) Board and appointment of Pete Olsen to the board as a Churchill County representative.

The Bylaws of the Central Nevada Health District Board of Health allow for two members from each county, city, or town which participates in the health district to be appointed by the governing body of the county, city, or town in which they reside, together with one additional member to be chosen by the members so appointed. Additionally, the District Health Officer has authority as a county or city health officer in the district, and there is an additional member of the District Board of Health that shall be a physician licensed to practice medicine in Nevada. Members serve two-year terms and may be reappointed in the same manner as their original appointment; not to serve more than twelve consecutive years, unless at least one-year has passed since serving their 12 consecutive years.

Currently, County Manager, Jim Barbee and Social Services Director Shannon Ernst are serving as the county's representatives and have played a key role in helping form the Health District. It was their intent to pull back once the board was functioning and the district was staffed and running. County Manager Jim Barbee is stepping down from the CNHD and recommends the county consider appointing former Commissioner Pete Olsen as a county representative, effective December 20, 2023, for a 2-year term.
FISCAL IMPACT: N/A
EXPLANATION OF IMPACT: N/A
FUNDING SOURCE: N/A
ACTION REQUESTED: Accept

Jim Barbee, County Manager, 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 appoint Pete Olsen to the CNHD Board. Commissioner Myles Getto seconded the motion, which carried by unanimous vote.

K- Consideration and possible action re: Approval of a letter to Strategies 360 informing them of the county's decision not to renew its Contract for lobbying.

The county has used Strategies 360 to provide government relations and lobbying over the past three (3) Legislative Sessions, and during the interim. Our first contract began January 1, 2018, and subsequent contract renewals have been approved. At this time, staff do not feel it necessary to continue using Strategies 360 for these services. Staff at the county are engaged during the Legislative Sessions and provide the coverage we need at this time.

Alternatives: As directed by the board.

Fiscal Impact: +$86,500 over the next 3-fiscal years

Explanation of Impact: Since these contracts were multi-year contracts, by not renewing this contract, the county will realize a savings. Prior contracts were handled with the first half of the fiscal year January - June at $3,500 a month ($21,000); the second full fiscal year with $3,500 for the first 7 months, increasing to $4,000 for the remaining 5 as they are legislative months ($44,500); and the six remaining months July to December at $3,500 ($21,000). Therefore the total savings spread out over 3-fiscal years is $86,500.

Funding Source: Savings to: General Government/Legislative Lobbying Expenses: 100-190-56901
ACTION REQUESTED: Accept

County Manager Barbee stated that we have been looking at some of the adjustments and changes that we are making in the positions, including the Assistant County Manager position that we are currently recruiting for and the costs associated with this. I have been looking to offset some of these costs with the elimination of the lobbying Contract, which basically they work for us at the state Legislative level. We do recognize that there aren't big initiatives that are being brought forward in the upcoming session. I have spoken with John Oceguera and made him aware that we are looking at this change and he recognized that and appreciated the service. They have served us well and we are looking at tracking those bills and having the Assistant County Manager working with Joe on these activities as we move forward. The county has appreciated their service and I told John that they were not being replaced but that we are just modifying how are moving forward in the future. John appreciated the last 4 years of contracting with the county. He asked the board to approve this action.

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

Commissioner Myles Getto made a motion to approve a letter to Strategies 360 notifying them of the county's decision not to seek renewal of a Contract. 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: Recorder's Monthly Apportionment Report for November 2023 totaling $13,527.70 in revenue.

Churchill County Recorder, Tasha Hessey, provides her Recorder's Monthly Apportionment Report for November 2023 totaling $13,527.70 in revenue for the month.
FISCAL IMPACT: $13,527.70 in revenue.
EXPLANATION OF IMPACT: Fees to help off-set services provided.
FUNDING SOURCE: General Fund
ACTION REQUESTED: Accept

C- Consideration and possible action re: Building Permit Activity Report for November 2023.

Provided for the board's review is the report showing 31 permits issued in the month of November 2023. Included in the 31 permits are 4 single-family-dwelling permit, 1 commercial permit, 0 industrial permits, 4 manufactured home permits, and 2 septic permits.
FISCAL IMPACT: N/A
EXPLANATION OF IMPACT: N/A
FUNDING SOURCE: N/A
ACTION REQUESTED: Accept

D- Consideration and possible action re: Building Department's Revenue Report for November 2023 totaling $17,442.63.

The Building Department provides its Revenue Report for November 2023 for the board's consideration and acceptance. A total of $17,442.63 was received for the month.
FISCAL IMPACT: $17,442.63.
EXPLANATION OF IMPACT: Fees are collected for the issuance of building permits, plan reviews, inspections, etc.

FUNDING SOURCE:
General Fund.
ACTION REQUESTED: Accept

E- Consideration and possible action re: Sheriff's Civil Report for November 2023 showing a total of $3,927.66 in revenue for the month.

Sheriff Richard Hickox provides his Civil Report for the month of November 2023 showing a total of $3,927.66 collected as revenue for the month. This report is provided for the board's consideration and acceptance.
FISCAL IMPACT: $3,927.66.
EXPLANATION OF IMPACT: Fees collected help to off-set the costs for providing the services.
FUNDING SOURCE: General Fund.
ACTION REQUESTED: Accept

F- Consideration and possible action re: Notification of Indigent Burial Application received under Client #7595F182C, which was approved on December 11, 2023.

On December 4, 2023, an Indigent Burial Application was received under Client #7595F182C and, on December 11, 2023, it was approved under NRS.428.
FISCAL IMPACT: N/A
EXPLANATION OF IMPACT: N/A
FUNDING SOURCE: N/A
ACTION REQUESTED: Accept

G- Consideration and possible action re: Treasurer's Report for November 2023 showing a balance of $68,426,704.31 in the account.

Clerk/Treasurer Linda Rothery provides the Treasurer's Monthly Report for November 2023 showing a balance of $68,426,704.31 in the account. This report is provided for the board's consideration and acceptance.
FISCAL IMPACT: N/A
EXPLANATION OF IMPACT: N/A
FUNDING SOURCE: N/A
ACTION REQUESTED: Accept

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

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

Consider Future Agenda Items:

There were no future Agenda items suggested.

Commissioner and Management Staff Reports:

Commissioner Scharmann had the following report:

- I attended the PERS luncheon at the Elk's Hall last week, which was nice.

Commissioner Heath had the following report:

- I attended the Park and Recreation Commission meeting.
- I also attended the Museum Association meeting.

Commissioner Getto had the following report:

- I attended the RTC meeting.
- I want to wish everybody a Merry Christmas.

County Manager Barbee had the following report:

- We had a great employee appreciation dinner and wished Merry Christmas and Happy New Year to all.

Comptroller Wideman had the following report:

- She thanked the board for approving the audit.
- We are rolling into budget season.

Civil Deputy DA Sanford had the following report:

- Merry Christmas.

Clerk/Treasurer Rothery had the following report:

- We have mail ballots going out for the Presidential Preference Primary.
- Judicial Candidate filings starts January 2nd.
- Tax sale preparation has been started.
- Her office continues working with delinquent taxes.
- Merry Christmas and Happy New Year.

Deputy Clerk Moore wished everyone a Merry Christmas.

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 3:11 pm.

Approved: ______________________
Harry "Bus" Scharmann, Chairman

Approved: ______________________
Justin Heath, Vice-Chairman

Approved: ______________________
Myles Getto, Commissioner

ATTEST:
Linda Rothery, Clerk/Treasurer

____
Julianne Ikonen, Deputy Clerk