

MINUTES OF THE BOARD OF CHURCHILL COUNTY COMMISSIONERS

**155 N. Taylor St., Conference Room #102, Fallon, NV 89406
February 1, 2024**

Call to Order:

The regular meeting of the Board of County Commissioners was called to order at 8:15 AM on February 1, 2024.

PRESENT:

Commissioner Myles Getto
Commissioner Harry Scharmann
Commissioner Justin Heath, via GoTo Meeting
County Manager Jim R. Barbee
Comptroller Sherry Wideman
Deputy District Attorney Jeff Weed
Deputy District Attorney Joseph Sanford, via
GoTo Meeting
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 Getto asked if there was any public comment. Jackson Barbee recited the FFA Creed.

Verification of the Posting of the Agenda:

It was verified by Pamela D. Moore, Deputy Clerk to the Board, that the Agenda for this meeting was posted on the 25th day of January, 2024, between the hours of 1:00 and 5:00 PM at all of the locations listed on the Agenda, in accordance with NRS 241.

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

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

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

A- January 4, 2024.

The Minutes of the meeting held on January 4, 2024 are presented for the board's consideration and approval.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Commissioner Harry Scharmann made a motion to approve the Minutes of the meeting held on January 4, 2024 as presented. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

B- January 17, 2024 Departmental Tours.

The Minutes of the Departmental Tours conducted on January 17, 2024 are presented for the board's consideration and approval.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Commissioner Harry Scharmann made a motion to approve the Minutes of the Departmental Tours conducted on January 17, 2024 as presented. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

Appointments:

A- Consideration and possible action re: Ratification of an Agreement between Churchill County Social Services and the Nevada Department of Business and Industry, Housing Division, for the HUD Emergency Solutions Grant, in the amount of \$16,788.80, to provide homeless assistance, homelessness prevention, and other eligible activities.

The Nevada State Housing Division provides pass-through funding from HUD, Emergency Solution Grants, to support homeless outreach and case management for stabilization. Previously, it funded the operations/lease for the PATH program but this was funded with alternative funds through negotiation for FY24.

FISCAL IMPACT: Total \$16,788.80.

EXPLANATION OF IMPACT: Administration-\$900; Street Outreach-\$15,888.80.

FUNDING SOURCE: Federal (HUD) pass-through to the Nevada Department of Business and Industry Housing Division; Country Match 20% requires in kind or cash.

ACTION REQUESTED: Accept

Social Services Director Ernst made this presentation as outlined above.

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

Commissioner Harry Scharmann made a motion to approve and ratify the grant Agreement as presented. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

B- Consideration and possible action re: Ratification of an Agreement between Churchill County Social Services and the Department of Health and Human Services, Division of Public and Behavioral Health, Rural Clinics, in the amount of \$72,890, to support the Rural Nevada Continuum of Care Program.

Social Services has been awarded funds as a pass-through to support the Rural Nevada Continuum of Care (RNCoC) Contract with Winged Wolf Innovation, Inc. The RNCoC is required to allow for HUD funds to be obtained by rural organizations to service homeless individuals, complete planning of homeless services, and complete the annual homeless point in time homeless count.

FISCAL IMPACT: Total \$72,890.

EXPLANATION OF IMPACT: Contractual/Consultant- \$67,491; Indirect Costs-\$5,399.28.

FUNDING SOURCE: General Funds and RNCoC Planning Grant.

ACTION REQUESTED: Accept

Social Services Director Ernst made this presentation as outlined above.

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

Commissioner Harry Scharmann made a motion to approve and ratify the Agreement as presented. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

C- Consideration and possible action re: Ratification of funding award between Churchill County Social Services and the State of Nevada, Aging and Disability Services Division, for the Nutrition Services Incentive Program (NSIP), in the amount of \$18,549 for Fiscal Year 2024.

Social Services receives Older American Act, Nutrition Services Incentive Program funds to support the purchase of domestically-produced foods such as, milk, fruit, vegetables, or protein products that support the Life Center meal programs. This award is one of two that will be received for FY24.

FISCAL IMPACT: \$18,459,000.

EXPLANATION OF IMPACT: Purchase of domestically-produced foods, such as milk, fruit, vegetables, or protein products that support the Life Center meal programs.

FUNDING SOURCE: State of Nevada, ADSD, pass-through from Administration for community Living; Older Americans Act, Nutrition Services Incentive Program.

ACTION REQUESTED: Accept

Social Services Director Ernst made this presentation as outlined above.

Chairman Getto asked if there was any public comment but there was none. He asked if this comes from USDA but was told it does not, although that would make sense.

Commissioner Harry Scharmann made a motion to approve and ratify the Agreement as presented. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

D- Consideration and possible action re: Reduction of three seasonal employees and replacement with one full-time equivalent for the 3C Event Complex.

For the last several seasons, we have been unable to recruit or retain seasonal staff to work at the 3C Event Complex. These positions have a low wage, as well as no benefits, and can only work 1039 (6 month) hours a year. With the increase in activities and events held year-round at the Complex, much of the work and management of these events requires a higher level staff member than the seasonal position's responsibilities are compensated for. These factors make it very difficult to even recruit and fill the seasonal positions, leaving the department short-handed. In order to address this issue, we are recommending doing away with the seasonal worker approach for the Event Complex and replacing it with using the funds to fill one FTE Parks Maintenance position. With the increase in pay, hours, and benefits, we are sure to fill this position. That will create a better work force for managing the grounds and reduce overtime, as well as burn out.

This change, moving forward, would be an additional \$1,100.00 in the next Fiscal Year. For the current Fiscal Year, after recruitment, we hope to have this position filled for the remaining 4-3 months of FY23. With funds left in the current Fiscal Year, the cost of switching, if recruitment yields filling the position with 4 months left in the Fiscal Year, it would be a savings of \$3,087.00.

FISCAL IMPACT: FY 23/24 - 4 months, \$19,391.00 includes benefits and remaining funds for part-time salaries of \$22,478.00 (salary only). FY 24/25 - FTE \$65,946 total vs 3 seasonal \$64,846.00 total.

EXPLANATION OF IMPACT: Funds that were approved for 3 seasonal employees will be used to fund one FTE position.

FUNDING SOURCE: 3C Event Complex Budget.

ACTION REQUESTED: Accept

Jorge Guerrero, Community Activities Director, made this presentation as outlined above.

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

Commissioner Harry Scharmann made a motion to approve reducing 3 seasonal staff positions and replacing them with one FTE Parks Maintenance Worker for the Fiscal Year at the 3C Event Complex. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

E- Consideration and possible action re: Renewal of a Contract with Mark Stafford, Real Estate Appraiser, to assist in appraising and defending the appraisals of complex properties in Churchill County.

NAC 361.1177 requires the Assessor to use the Marshall and Swift Valuation Service to value properties using the cost approach. However, costs for solar and geothermal facilities are not found within the Marshall and Swift service and the cost approach is not always appropriate for certain complex or unique properties. If an appeal of value is received on such properties, the Assessor's office, typically, is not provided with supporting documentation, such as production reports, nor is there market sales data for such properties. The Assessor's office does not have staff with the special certification or the expertise to determine the market value for utility properties such as these.

Centrally assessed properties are appealed directly to the State Board of Equalization. The Civil District Attorney typically files an intervener on behalf of the county, per NAC 360.070. Again, without the expertise of an appraiser certified to value such properties, it is difficult for the county to defend its interests in these appeals.

It is our recommendation that Churchill County renew the two-year Contract with Mark Stafford, who is a Commercial Real Estate Appraiser to put the county in a better position to defend these appraisals. Mr. Stafford's expertise and experience has proved effective in valuing the Enel Stillwater PV Solar II facility since 2021.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: General Fund - Assessor's Department.

ACTION REQUESTED: Accept

Denise Mondhink-Felton, Assessor, made this presentation as outlined above.

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

Commissioner Harry Scharmann made a motion to approve the Contract renewal with Mark Stafford, General Real Estate Appraiser, in an amount not to exceed \$7,500, to assist in appraising and defending the appraisals of complex properties in Churchill County. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

F- Consideration and possible action re: Selection of Best Development Group as the most responsible bidder under the Request for Proposals at 2255 Casey Road, Fallon, Nevada.

The county issued a Request for Proposals for 2255 Casey Road (the Casey Road Mobile Home Park) in December of 2023. After a mandatory pre-bid meeting, at which only the Best Development Group attended, a single proposal was received. The proposal outlines a plan to incorporate the county's parcel into a larger commercial and retail development site totaling 15.55 acres. The proposal would provide a place for construction of public accommodations on a different portion of the parcel, with that development to be completed by a separate party.

The proposal contemplates a substantial remediation cost of \$80,000 for the removal of defunct trailers and dwellings on the property. The proposer has offered \$425,000 (appraised value of the property) but requests a credit of \$40,000 from the county to cover a portion of the cost of remediation. Staff recommends acceptance of the proposal with development timeframes to be included in the purchase and Development Agreement.

FISCAL IMPACT: \$385,000.

EXPLANATION OF IMPACT: \$425,000 purchase price, less credit for remediation.

FUNDING SOURCE:

ACTION REQUESTED: Accept

Jeff Weed, Civil Deputy District Attorney, made this presentation as outlined above.

Chairman Getto asked if there was any public comment but there was none. Commissioner Scharmann asked if the alfalfa field is part of these 15 acres. County Manager Barbee said it is separate from this property. Civil Deputy DA Weed said it is separate from this property but it is part of the general big picture plan that they are going to buy and lump it all together for the larger plan in the future.

Commissioner Harry Scharmann made a motion to select Best Development Group as the most responsive bidder under the Request for Proposals at 2255 Casey Road and direct staff to prepare a purchase and development agreement according to the terms of the proposal. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

Letters Received:

A- Notification from the Nevada Division of Water Resources that a protest of Granite Springs Ditch and Pipeline's water application has been filed by the Truckee-Carson Irrigation District, Churchill County, C Punch Ranch LLC, The Rose of Snowville LLC, Great Basin Water Network, Central Nevada Regional Water Authority, and Humboldt River Basin Water Authority.

The Nevada Division of Water Resources provides notification that a protest of Granite Springs Ditch and Pipeline's water application has been filed by the Truckee-Carson Irrigation District, Churchill County, C Punch Ranch LLC, The Rose of Snowville LLC, Great Basin Water Network, Central Nevada Regional Water Authority, and Humboldt River Basin Water Authority. An answer to the protests may be filed with the State Engineer within 45 days of the date of the letter (January 9, 2024).

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

B- Carson Water Subconservancy District's 2023 Activities & Accomplishments Report.

The Carson Water Subconservancy District (CWSD) provides its 2023 Activities & Accomplishments Report for the information of the board and public. CWSD strives to balance the municipal, agricultural, and environmental water needs of our watershed. The agency works with watershed partners using an integrated watershed planning process to reach its goals of a sustainable, healthy watershed. To achieve this balance, CWSD integrates planning, coordinating, and engagement activities to support projects associated with floodplain management, river projects, water quality, water supply, invasive species, outreach and education, and recreation. This report outlines the activities and accomplishments for 2023.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

New Business:

A- Consideration and possible action re: Proposal from EKAY Economic Consultants, Inc. to update the Churchill County Housing Needs Assessment and Labor Market Study, in the amount of \$14,700.

EKAY Economic Consultants, Inc. was engaged by the county in May 2019 to perform a Housing Needs Assessment for Churchill County. In July 2021, the county sought another proposal from EKAY to update our Housing Needs Assessment. This work has been and continues to be a valuable tool for the county as it relates to our current housing demands and gives an overview of both Churchill County and the regional economy and demographics, provides data on our residential market supply (rental/owner occupied market), and our residential market demand. This information also benefits the county for use with its upcoming Master Plan update, grant applications, discussions with developers, planning for economic development, growth, etc. It is important that the information be updated periodically so that it remains relevant and useful. The scope of work outlined in the proposal (attached) includes the following:

Housing Needs Assessment Update

- I. Overview of Churchill County Regional Economy and Demographics
- II. Churchill County Residential Market Supply
- III. Churchill County Residential Market Demand

Labor Market Study

- I. Define Region of Analysis
- II. Overview of Existing Labor Market
- III. Labor Market Growth Projections

FISCAL IMPACT: \$14,700 in FY24.

EXPLANATION OF IMPACT: FY24: \$14,700 split between Churchill County and Tolles Development (\$7,350 each).

FUNDING SOURCE: General Government / Contracted Services: 100-190-52400

ACTION REQUESTED: Accept

County Manager Barbee made this presentation as outlined above.

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

Commissioner Harry Scharmann made a motion to approve the proposal by EKAY Economic Consultants, Inc. to update the county's housing needs assessment and labor market study, and authorize the County Manager to execute. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

B- Consideration and possible action re: Adoption of Resolution 3-2024, a Resolution establishing a special revenue fund known as the Opioid Litigation Fund and other matters properly relating thereto.

Churchill County has entered One Nevada Agreement for the allocation of opioid recoveries. This fund will track the receipt of the settlements and the special requirements for the expenditures of these funds.

FISCAL IMPACT: Churchill County has entered One Nevada Agreement on the allocation of opioid recoveries. This fund will track the receipt of the settlements and the special requirements for the expenditures of these funds.

EXPLANATION OF IMPACT: As outlined.

FUNDING SOURCE: Opioid settlements.

ACTION REQUESTED: Adopt

A RESOLUTION ESTABLISHING A SPECIAL REVENUE FUND KNOWN AS THE OPIOID LITIGATION FUND AND OTHER MATTERS PROPERLY RELATING THERETO.

Comptroller Wideman made this presentation as outlined above.

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

Commissioner Harry Scharmann made a motion to adopt Resolution 3-2024 as presented. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

Consent Items:

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

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

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

B- Consideration and possible action re: Building Department's Revenue Report for December 2023 totaling \$29,340.45.

The Building Department provides its Revenue Report for December 2023 for the board's consideration and acceptance. A total of \$29,340.45 was received for the month.

FISCAL IMPACT: \$29,340.45.

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

FUNDING SOURCE: General Fund.

ACTION REQUESTED: Accept

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

Provided for the board's review is the report showing 35 permits issued in the month of December 2023. Included in the 35 permits is 1 single-family-dwelling permit, 0 commercial permits, 0 industrial permits, 1 manufactured home permit, and 3 septic permits.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

D- Consideration and possible action re: Transfer of funds to the Churchill County Road Department, in the amount of \$250,000, for Fiscal Year 2024 road and bridge projects for the 2nd quarter.

The Churchill County Road Department is requesting a transfer of funds, in the amount of \$250,000, for FY 2024 road and bridge projects for the 2nd Quarter. The transfer is to be split 50/50 between Regional Transportation Fund 280 and Public Transit Fund 395.

The reimbursement is for the blade maintenance of county roads for the period of October 1st through December 31, 2023, in the amount of \$205,822.78, and weed control for the period of July 1st through December 31, 2023, in the amount of \$49,569.22. These projects total \$255,392.00 but we are only requesting to transfer the encumbered amount of \$250,000, which was approved by the Regional Transportation Commission at the October 18, 2023 meeting.

FISCAL IMPACT: \$125,000 from Regional Transportation Fund 280-631-85300 and Public Transit Fund 395-631-85300

EXPLANATION OF IMPACT: As outlined.

FUNDING SOURCE: \$125,000 from Regional Transportation Fund 280-631-85300 and Public Transit Fund 395-631-85300.

ACTION REQUESTED: Accept

E- Consideration and possible action re: Treasurer's Report for December 2023 showing a balance of \$68,656,618.70 in the account.

Clerk/Treasurer Linda Rothery provides the Treasurer's Monthly Report for December 2023 showing a balance of \$68,656,618.70 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

F- Consideration and possible action re: Churchill County's Quarterly Report to the Department of Taxation regarding Churchill County's Economic Condition for the quarter ending December 31, 2023.

Provided for the board's review and consideration is the Quarterly Report of Churchill County's economic condition for the period ending December 31, 2023, which is prepared in accordance with the Nevada Administrative Code (NAC). This report must be submitted to the Department of Taxation within 45 days of completion of the prior quarter. A signed copy will be forwarded to the department in a timely manner and this is provided for the board's review.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

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

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

Consider Future Agenda Items:

There were no future Agenda items suggested.

Commissioner and Management Staff Reports:

Chairman Getto reported on the following topics:

- Nevada Water Resource Association's conference in Las Vegas. There was a lot of information there, some of which is applicable to Churchill County. It is good to know information for other parts of the state, as well.

Commissioner Scharmann had nothing to report.

Commissioner Heath reported on the following topics:

- He is in Arizona racing with his boys but will return on Monday.

County Manager Barbee reported on the following topics:

- Thank you for allowing Jack to recite the FFA Creed.
- There is a lot of good stuff coming and, hopefully, in the next couple of months we will have some announcements on some business development things that are happening.

Comptroller Wideman had nothing to report, other than they are busy working on getting the budget to you.

Civil Deputy DA Weed had nothing to report.

Clerk/Treasurer Rothery reported on the following topics:

- Early voting is going very slowly. We've had a total of 171 voters currently. Two people have voted this morning so far. We will not have a great turn out but we are mandated by statutes to conduct this election.

Claims and Payroll Transmittals:

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

Public Comment:

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

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Adjournment:

The meeting was adjourned at 8:34 AM.

Approved: 
Myles Getto, Chairman

Approved: 
Harry "Bus" Scharmann, Vice-Chairman

Approved: 
Justin Heath, Commissioner

ATTEST:
Linda Rothery, Clerk/Treasurer


Pamela D. Moore, Deputy Clerk to the Board