

MINUTES OF THE BOARD OF CHURCHILL COUNTY COMMISSIONERS

155 N. Taylor St., Fallon, NV 89406

March 7, 2024

Call to Order:

The regular meeting of the Board of County Commissioners was called to order at 8:15 AM on March 7, 2024.

PRESENT:

Commissioner Myles Getto
Commissioner Harry Scharmann
Commissioner Justin Heath
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
N/A

ABSENT:

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 but there was none.

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 1st day of March 2024, between the hours of 2:00 and 4:00 PM at all of the locations listed on the Agenda, in accordance with NRS 241.

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

Chairman Getto reported that Item I has been withdrawn as it is a duplicate of Item H and, therefore, the Agenda needs to be revised accordingly.

Commissioner Justin Heath made a motion to approve the Agenda as revised.

Commissioner Harry Scharmann seconded the motion, which carried by unanimous vote.

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

A- February 16, 2024 - Canvass of Votes.

The Minutes of the meeting conducted on February 16, 2024 to canvass the votes 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 February 22, 2024 as presented. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

B- February 22, 2024 - Budget Hearings.

The Minutes of the budget hearings held on February 22, 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 February 22, 2024 as presented. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

Appointments:

A-

Consideration and possible action re: An Application for Abandonment filed by Ralph & Deborah Mills for property located at 4572 Bebe Ann Way, Assessor's Parcel Number 006-231-69, to abandon the 60-foot road easement and related parallel easements that currently extend across Parcel 10 and lie east of the existing turn-around, as shown on Map Document Number 408057, Churchill County Records.

This Application was reviewed at the May 2022 meeting and the Planning Commission recommended denial. The Board of County Commissioners convinced the Applicant to withdraw the Application and resubmit it later, after development plans for their dairy were underway. The Applicant has the dairy underway and has resubmitted the Application.

The Application proposes to abandon the road easement and associated parallel drainage and utility easements through this property at the end of Bebe Ann Way. The road currently ends in a cul-de-sac but the easements continue through to the east end of the property and provide access to the adjacent lands to the east.

Bebe Ann Way was created by a Cluster Development, in which a farmer (in this case Newell Mills, a relative of the current owner) gets to develop their allocation of possible lots and keep most of the farm, too. The remaining farm is subject to a Conservation Easement, which, in this case, is the farm field north of the Bebe Ann Way lots.

North of this Cluster Development, Newell Mills also created another Cluster Development along Sheckler Road and Chavez Drive, with the Conservation Easement located adjacent to the one for the Bebe Ann Way project. Recently, the easement was moved to a different location, as noted below. This Conservation Easement property extended south to abut the subject property and the end of the road easement proposed to be abandoned. However, this Conservation

Easement was different, in that it is only for 30 years, of which half has passed. On expiration, the farm property (which abuts the road easement) could be further developed.

Since the previous Application, a number of developments have taken place:

- (a) The Mills family renamed Chavez Drive as Farmer Way.
- (b) The Mills family worked with Deputy DA Sanford to remove the north Conservation Easement (for the Chavez Drive lots) to facilitate dairy construction and replace it with a Conservation Easement on the adjacent property to the east.
- (c) The Mills family began construction of the dairy near the end of Farmer Way, thereby obstructing its extension southward toward BeBe Ann Way.
- (d) The removal of the Conservation Easement no longer obstructs the extension of BeBe Ann Way, making its extension eastward toward Lima Lane easier.

Recommended conditions, if approved:

- 1. The Applicant shall provide an exhibit prepared by a surveyor licensed in the State of Nevada that will accompany the Order, which clearly illustrates the revised easement situation. The map must be drawn to the satisfaction of Churchill County and the County Surveyor.
- 2. The abandoned road easement shall be the portion lying east of a north-south line measured 60' directly east of the centerpoint of the turn-around on the Third Cluster Development Parcel Map for Ralph P. & Deborah K. Mills, Doc. #408057.
- 3. The Applicant must establish replacement easements for the abandoned drainage easement and utility easement such that they co-exist with the east-most 10-feet of the truncated road easement.
- 4. The Order of Abandonment shall be prepared for execution by the Chair of the Board.

A copy of the Staff Report and an excerpt from the Planning Commission Minutes are provided for the Commissioners' review and decision.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Deny

Dean Patterson, Associate Planner, made this presentation as outlined above. The dairy being built will obstruct the path. This road could also connect eastward through a couple of farm lots to Lima Lane. For that reason, the Public Works Director, Road Supervisor, and Planning Commission still recommend denial of this Application. Further details are found in the Staff Report.

Commissioner Scharmann said will Parcel 10 block the road towards Lima Lane? Mr. Patterson said Parcel 10 is the parcel that the easement currently goes through. It dead ends into the farm parcel where they are currently building the dairy. To access Lima Lane would require extension through that parcel and then across an irrigation ditch, across a drain ditch, and across another irrigation ditch and another drain ditch at the other end of the road to actually get to

Lima Lane. Commissioner Scharmann said have you already started the barn? Mr. Mills said the dirt work has been excavated and we are hoping that, at the first of next month, the contractor says they will have 20 people on site to start construction.

County Manager Barbee said the road is not completed through but will the easement continue all the way through to make the connection? Mr. Patterson said the road infrastructure has not. Mr. Barbee said, right, but the easement exists all the way through to the other road across all of those ditches mentioned? Mr. Patterson said it dead ends at the end of Parcel 10. There is no easement across the rest of the parcels, which we own two of. It extends through Parcel 10 and ends at the edge of Parcel 10. It does not keep going.

Mr. Mills said we have had extensive discussions on this. Our goal, in addition to the fact that it enhances the buildable area of Parcel 10, is to preserve agriculture in the area. With the zoning that is active in that area currently, the feasibility of a road through Lima Lane is cost prohibitive, in my opinion, based upon my knowledge of what it cost me to create BeBe Ann Way. With the limited number of lots that are accessible, I do not see that to be a feasible extension of a road, unless there is a major rezoning of that area.

Commissioner Heath said what would be the purpose of maintaining that easement? Mr. Patterson said so that some future date will have a path through this large block of the county that reaches from St. Clair over to Lima Lane. Commissioner Heath said Parcel 10 is farmland now? Mr. Mills said we are currently farming it. Commissioner Heath said it is buildable? Mr. Mills said it is buildable and we are planning to build a house on it. Commissioner Heath said if we build a house on that parcel, we need that easement? Mr. Patterson said, right now, they would have to build a house north of the easement and they could not build it in the south portion of the lot. Commissioner Heath said, if the easement goes away, that road would disappear? Chairman Getto said it would dead end right there at Lot 10 where, right now, we could continue it. Mr. Patterson said, if the easement goes away, then a lot more of the lot would be buildable by allowing structures in the old easement path. The road currently stops and has a cul-de-sac and it would not go any further after that.

Commissioner Scharmann said would this be a county road that we would need to maintain? Mr. Patterson said, right now, BeBe Ann Way is a county maintained road. What a future road would be is up to the Highway Commission and whether they would accept it into the maintenance program. It often is since it would connect from one major road to the next.

Chairman Getto said my comment would be that, in order for this future road that we are talking about to happen, we would have to cross three parcels. As Mr. Mills stated, the density out there, in my eyes, is not where we want to see planned growth. It is in the middle of farm ground and I think we should stick to where our opportunity zone is closer to town. Commissioner Heath said the growth is already there. Chairman Getto said they already created a cluster development. Commissioner Heath said didn't we recently approve another housing development out there on Lima Lane? Mr. Patterson said yes, on Lima Lane. Chairman Getto said that was another cluster development where you sacrifice some of your other property to put in one acre lots like this one was. I believe the Mills family put in this cluster development

however many years ago (Mr. Mills said 2007) and the other one further down on Lima was the same thing, a cluster development. You preserve a large majority of your farm ground and, in lieu of that, you can put in some lots up front, even though the zoning may be A-10. Commissioner Heath said they have already requested those lots be approved previously, within the last year. Mr. Patterson said on Lima Lane, which was answered affirmatively, and he agreed. Commissioner Heath said it is already planned for development. Chairman Getto said but this isn't Mills. Commissioner Heath said that whole area is. Chairman Getto said it is already parceled out, yes.

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

Commissioner Justin Heath made a motion to deny the request to abandon a portion of the Bebe Ann Way road easement and parallel easements that pass through Parcel 10 of the Third Cluster Development Parcel Map for Ralph P. & Deborah K. Mills, Doc. #408057, Assessor's Parcel Number 006-231-69, and those that lie east of the existing road turn-around. Commissioner Harry Scharmann seconded the motion, which carried by majority vote, with Chairman Getto opposed.

B- Consideration and possible action re: An Application for a Zone Change filed by Jared Card and Jesus Mariezcurrena for multiple properties located at the intersection of Carson Highway and Beasley Drive, Assessor Parcel Numbers 007-171-52, 007-171-53, 007-171-54, and 007-171-74, consisting of 4.26 acres in the C-1 zoning district, whereby the Applicant is requesting a zone change for the parcels from C-1 to Industrial. Churchill County is also including the two remaining C-1 zoned adjacent properties in this request; the first being APN 007-171-56, owned by Galen and Margaret Hines, totaling approximately 0.49 acres, and the second being the portion of U.S. 50 passing through or adjacent to the affected properties. Such consideration may include changing the zoning district to one that allows a less intensive range of uses.

Since 2020, the primary Applicant, Jared Card, has operated a trucking business on one of the C-1 zoned parcels and a section of the Industrial zoned parcel located to the north. Trucking is not an allowed use in the C-1 zoning district. In May 2023, Jared Card obtained a Special Use Permit (SUP) for an off-premises outdoor storage yard on the Industrial zoned parcel and the discrepancy was discovered. The SUP was subject to a condition that he must address the non-conforming trucking use on the C-1 parcel. This could be achieved either by rezoning from C-1 to Industrial or by removing the trucking use and ensuring compliance with friction zone standards between the C-1 and industrial parcels. The SUP also imposed a condition for landscaping (one parking lot tree, and a 10' landscape strip along the frontage of Beasley Dr. and the Carson Highway) and screening the perimeter and between phase 1 and phase 2 within 120 days. While some progress has been made towards the landscaping with the addition of boulders, as of February 6, 2024 the conditions have not been fully satisfied. This Application seeks to correct the problem of a trucking use on the C-1 parcel as required.

The secondary Applicant, Jesus Mariezcurrena, holds two Special Use Permits (SUP) for operating a well drilling and portable toilet rental business on three of the subject parcels. These permits, granted in April 2018, included conditions for landscaping and screening. While some progress has been made towards the landscaping by displaying antique drilling equipment, as of

February 6, 2024, the conditions have not been fully satisfied.

The subject properties, totaling approximately 5.26 acres and situated at the intersection of Beasley Drive and the Carson Highway, are currently zoned as General Commercial (C-1). However, this zoning designation is out of place in this area and should not have been applied to these parcels. The primary Applicant, Jared Card, is operating a non-allowed use on one of the parcels and proposes a zone change from C-1 to Industrial to remedy the issue and bring the parcel into conformance with Churchill County Code. Surrounding land uses include well drilling, portable toilet rentals, trucking, outdoor storage of trusses and concrete materials, as well as a proposed future concrete batch plant. The nearest residences are more than 1,500 feet to the southeast. A change from General Commercial (C-1) to Industrial would be consistent with these surrounding Industrial and Heavy Commercial (C-2) land uses. There are no plans for a change in use on any of the subject parcels, though a change to Industrial zoning would ensure that future uses remain consistent with the surrounding uses.

Churchill County is also including two adjacent C-1 zoned parcels in this request; the first being APN 007-171-56, owned by Galen and Margaret Hines, totaling approximately 0.49 acres; and the second being a 3.07-acre portion of U.S. 50 passing through or adjacent to the affected properties. The reason for this is that approving the Card/Mariezcurrena zone change would result in one small parcel of C-1 zoning along with a segment of highway. This is sometimes referred to as a “spot zone.” Spot zoning is defined as “zoning applied only to a small area which is out of harmony with comprehensive planning for the good of the community and designed to promote particular private interests rather than the collective interest of the community” (16.24.010).

Section 16.080.060(D) of the Churchill County Code empowers the Planning Commission to consider additional properties for change, extending beyond those initially included in a Zone Change Application: “When the commission deems it proper, it may consider other property for change in addition to that sought in a zoning map amendment application; provided, that proper notice has been given pursuant to this section.” Such consideration may include changing the zoning district to Industrial or to one that allows a less intensive range of uses. Staff recommends approving the rezone request to match adjacent Industrial zoning north of the highway. In addition, Staff also recommends rezoning the adjacent portion of highway as Industrial, which will connect to adjacent Industrial zoning on the east and west ends. Furthermore, Staff recommends rezoning the Hines parcel to C-2 to match the surrounding C-2 zoning designations south of the Carson Highway. A special notice was sent to Hines and to NDOT.

A copy of the Staff Report and an excerpt from the Planning Commission minutes are provided for the Commissioners' review and decision.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Dean Patterson, Associate Planner, made this presentation as outlined above.

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

Commissioner Heath asked which side of the highway this was on. Mr. Patterson said this is at Leeteville Junction on the Carson Highway portion. It is on the north side and Walker Lake Disposal is on the south side.

Commissioner Scharmann asked what is the parcel marked C-1? Mr. Patterson said all of the light orange color is zoned C-1 and Mr. Card has the other properties listed as C-2 and the others are Industrial or A-10 around that. Commissioner Scharmann said you want the parcels zoned C-1 to be rezoned as Industrial? Mr. Patterson said staff is recommending that the Card and Wellsco properties and the highway be zoned Industrial because they are surrounded on three sides. The little triangle of remaining C-1 we recommend be rezoned to C-2 because it is right next to the C-2 at the top of the picture.

Commissioner Harry Scharmann made a motion to approve: (A) the Zoning Map Amendment request for Jared Card and Jesus Mariezcurrena to change the zoning on Assessor's Parcel Numbers 007-171-52, 007-171-53, 007-171-54 and 007-171-79 from C-1 to Industrial; (B) a change in zoning for the adjacent U.S. 50 right-of-way from C-1 to Industrial; and (C) a change in zoning for Assessor's Parcel Number 007-171-56 (owned by Hines) from C-1 to C-2. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

C- Consideration and possible action re: A Reversion to Acreage Map Application filed by Allen Hughes and other property owners, which would revert properties located in Block 52 of the Hazen Townsite Map, in conjunction with a request to abandon adjacent streets and alleys, related to Assessor's Parcel Numbers 010-291-02, 010-291-04, 010-291-06, 010-291-07, 010-291-08 & 010-291-09, and APN 009-251-74, totaling 22.47 acres in the A-10 and Industrial zoning district, whereby the Applicants propose to combine the multiple lots within their ownership to a smaller number of lots along with adjacent abandoned rights-of-way.

This project attempts to make the old Hazen Townsite lots created in 1905 into more usable lots for today's methods of development. It proposes to revert small lots into larger lots and to abandon certain adjacent county road lands into the reverted lots.

The original railroad line that was installed in the 1860s and the Brady Hot Springs Hill was re-routed through the 40-Mile Desert in approximately 1902. Around the same time, the Newlands Act (Reclamation Act) of 1902 was passed, creating the Reclamation Service (later Bureau of Reclamation), with the Newlands Project as the 1st reclamation project. Around 1905, Hazen was created to support the project and serve the Fallon Branch and Mina Branch of the railroad.

Reversions to acreage of a couple lots are normally simple and fast to approve; however, this case is not simple because it involves multiple large and small lots. Most abandonments for small road segments next to somebody's lot are normally simple and fast to decide if they are

not needed; however, this case is not simple because it involves multiple road segments and multiple properties that the abandoned land will be attached to. In addition, both actions involve multiple owners. The Applicant is proposing both complicated actions at the same time and has proposed to do both on one map. Due to the complexity, staff, the County Surveyor, and the title company recommend that a Record of Survey be done to clearly show the resultant parcels.

Recommended Conditions:

- 1) Changes shall be made for compliance with Churchill County Code, including but not limited to:
 - a) Provide blank spaces for document numbers of the Order of Abandonment and new Deeds, which will be recorded before recording the map and filled in on the map.
 - b) Adding "NOTE" information regarding the Deed error for the Scott-Williams property, similar to the Hughes Deed error.
 - c) Correcting the name of the referenced document #931 in the Surveyor's Certificate.
 - d) Correcting typographic, arrow placement, and other minor errors.
- 2) To ensure compliance with NRS reversion to acreage and abandonment requirements, approval is subject to the following:
 - a) The proposed Reversion to Acreage and Record of Survey Map shall be recorded after the Order of Abandonment, with the Order's document number referenced on the map.
 - b) New Deeds using the resultant lot legal descriptions shall be recorded before recording the Reversion to Acreage and Record of Survey Map, with the Deeds' document numbers referenced on the map.

A copy of the staff report and an excerpt from the Planning Commission Minutes are provided for the Commissioners' review and decision.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Dean Patterson, Associate Planner, made this presentation as outlined above.

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

Commissioner Heath asked if this will remain zoned as A-10? Mr. Patterson said that is correct.

Commissioner Scharmann asked if this included where the grocery store is located? Mr. Patterson said the grocery store is a half a block away and it does not include that.

Commissioner Justin Heath made a motion to approve the Reversion to Acreage Application for Allen Hughes, Julie Scott, Shona Williams, and TRP Properties for the multiple properties included in this Application; and that, if approved, the combined conditions of approval for abandonment and reversion to acreage that are listed in the

Staff Report be required. Commissioner Harry Scharmann seconded the motion, which carried by unanimous vote.

D- Consideration and possible action re: An Application for Abandonment of Easements filed by Allen Hughes and other property owners to abandon multiple rights-of-way within the Hazen Townsite map (Doc. # 931) lying adjacent to the Petitioners' land, which are not developed with roads. The rights-of-way are: (a) Utah Street extending east of Hazen Avenue to Tahoe Avenue, (b) Tahoe Avenue between Nevada Street and Utah Street, and (c) the alley located between Nevada Street and Utah Street extending between Hazen Avenue and Tahoe Avenue. Adjacent properties are APNs 010-291-02, 010-291-04, 010-291-06, 010-291-07, 010-291-08 & 010-291-09, and APN 009-251-74.

The Application proposes to abandon the multiple county-owned road rights-of-way adjacent to the Hughes, TRP Properties, and Scott-Williams parcels. The rights-of-way:

- Are undeveloped with no roads, structures, or known utilities.
- Are not needed to provide connectivity through an area.
- Are not needed to provide legal and physical access for resultant parcels or other adjacent lands.

The general rule is that abandoned road and alley segments of land are split equally down the middle, with each half attached to the abutting properties. This gets more complicated with intersections, multiple properties, multiple owners, and parcels that have inadequate legal descriptions. The distribution of abandoned land is illustrated in the Reversion to Acreage/Record of Survey Map and is described in the Staff Report in detail.

Recommended Conditions:

- 1) Changes shall be made for compliance with Churchill County Code, including but not limited to:
 - a) Provide blank spaces for document numbers of the Order of Abandonment and new Deeds, which will be recorded before recording the map and filled in on the map.
 - b) Adding “NOTE” information regarding the Deed error for the Scott-Williams property, similar to the Hughes Deed error.
 - c) Correcting the name of the referenced document #931 in the Surveyor’s Certificate.
 - d) Correcting typographic, arrow placement, and other minor errors.
- 2) To ensure compliance with NRS reversion to acreage and abandonment requirements, approval is subject to the following:
 - a) The proposed Reversion to Acreage and Record of Survey Map shall be recorded after the Order of Abandonment, with the Order’s document number referenced on the map.
 - b) New Deeds using the resultant lot legal descriptions shall be recorded before recording the Reversion to Acreage and Record of Survey Map, with the Deeds’ document numbers referenced on the map.

A copy of the Staff Report and an excerpt from the Planning Commission Minutes are provided for the Commissioners' review and decision.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Dean Patterson, Associate Planner, 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 request to abandon county road right-of-way lands shown on the proposed Reversion to Acreage and Record of Survey Map accompanying the Application, being portions of Utah Street, Tahoe Avenue, and the alley through Block 52, all established on the Hazen Townsite map, Document #391; and that, if approved, the combined conditions of approval for abandonment and reversion to acreage that are listed in the Staff Report be required. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

E- Consideration and possible action re: Parcel Map Applications for two maps creating 7 lots filed by NEV DEV LLC for property located on Desert Hills Loop, Assessor's Parcel Number 008-176-82, consisting of 16.48 acres in the E-1 zoning district, whereby the proposed maps implement the project's Tentative Parceling Plan approved by the Board of County Commissioners on October 5, 2023.

This project had its Tentative Parceling Plan reviewed by the Planning Commission at the September 2023 meeting, which was approved by the Board of County Commissioners on October 5, 2023. These two maps implement the plan.

This property is part of the Sky Ridge Development, which began over 20 years ago, in the 1990s, when 1-acre lots were allowed with a well and septic. Since then, the laws have changed and such development is no longer allowed due to the high density of septic systems contaminating the groundwater and other factors. The project probably did not start with the name of Sky Ridge but it was changed at some point. Bruce Homer was the original developer of this site and he developed the first half of the Desert Hills Loop neighborhood. Mick Casey later purchased the remainder and added it to his larger development and then Ken Gearhart took over.

Most of the Sky Ridge Development was completed but there are three phases remaining (in the NE, the SW, and SE areas) and each is now owned by different parties. Each phase has had its deadline extended for many years using Development Agreements. The SW phase is at the end of Skyridge Drive (lying just west of the subject property) and has been purchased by a person that intends to cancel that phase of the larger project. The NE phase is at the north end of Michelle Drive and the McCrearys have already gotten Parcel Maps approved for it and have since sold the project.

This project is the SE phase, owned by the McCrearys (NEV DEV LLC). They got the Desert Hills Loop Parcel Maps approved, which met the Development Agreement deadline. Approval then started a new 1-year deadline to record the maps, along with an allowance to request an

extension for another year. The owner began working with NV Energy for power utilities to the development. However, NV Energy continually delayed their design and approval for a year. Unfortunately, the owners did not realize the deadline had passed and the project had expired. The approved Parceling Plan salvaged some of the project by proposing lots as small as 2 acres – and half the number originally approved. Since the lots were less than 5 acres, a variance was also granted, resulting in an average density of 1 lot per 2.35 acres.

Recommended conditions:

- 1) Changes shall be made for compliance with Churchill County Code, including but not limited to:
 - a) Changes to labels on road easements and improvements shall be made to be consistent with the final decision on offers to grant easements and dedicate land and facilities.
 - b) Changes to the Churchill County Commissioner's Certificate shall be made to be consistent with the final decision on offers to grant easements and dedicate land and facilities.
 - c) Roads serving the development shall be constructed or financially guaranteed before recording the maps.
 - d) Any portions of project roads that are off-site of project land shall be constructed at the developer's expense and offered for dedication to the county through appropriate processes.
 - e) Water dedication requirements must be met prior to recording the map.
 - f) Any typographic errors and errors in certificates and notes shall be corrected, including the Planning Certificate reference to the approved variance.
- 2) Any final changes required by the County Surveyor shall be made prior to recording, including but not limited to the following:
 - a) Changes shall be made for accurate display and placement of all monuments and of all markers at the edges of road easements, canal easements, and building envelopes.
 - b) Curve data shall be provided.

A copy of the Staff Report and excerpt from the Planning Commission Minutes are provided for the Commissioners' review and decision.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Dean Patterson, Associate Planner, made this presentation as outlined above.

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

Commissioner Heath said, with regard to Parcel 8, it cuts over to the top of the screen and there is a parcel on the other side. Chairman Getto said they do like 3 lots and then they have a remainder and then they chop up that remainder, so that is what it would look like (as depicted on the next map displayed). Commissioner Health said it doesn't come right to the street? Chairman Getto said no. Commissioner Health asked if there is room for the fire trucks to turn around now? Mr. Patterson said yes. The Fire Marshal said the existing cul-de-sacs are mostly

adequate and that these small extensions will still have hammer heads where at least they could back up 100 feet to the main cul-de-sacs that are there now. This configuration was developed mostly in coordination with the Fire Marshal because of their concerns. Commissioner Heath said that was the problem last time.

Commissioner Justin Heath made a motion: (A) to approve the 2 parcel maps entitled 1st and 2nd Parcel Map for NEV DEV LLC to divide Assessor's Parcel Number 008-176-82 into 7 lots, subject to conditions as listed in the Staff Report; (B) to accept the offer to grant easements identified on the maps; (C) to reject the offer to dedicate lands for Desert Hills Loop; and (D) to accept the offer to dedicate road facilities for Desert Hills Loop. Commissioner Harry Scharmann seconded the motion, which carried by unanimous vote.

F- Consideration and possible action re: Approval to transition the State Public Health Lab, Satellite Churchill, to a County Public Health Lab, named Churchill County Rural Public Health Laboratory and to authorize the Director of Churchill County Social Services to execute the necessary applications to complete the certification and licensure process.

In an evaluation of the public health laboratory located in Churchill County to increase capacity and expand testing to meet the needs of rural surrounding areas, the recommendation is to develop a stand-alone county Public Health Laboratory.

The goal would be to provide 30-days notice to UNR School of Medicine, Nevada Public Health Laboratory, and Dr. Pandori, current Lab Director. Once the notices are signed, Churchill County will have 30 days to submit new applications for all licenses to change the name and new Laboratory Director.

Discussions have taken place with Dr. Pandori and the State of Nevada, Department of Public Health, regarding this action, and all have been in support.

Approval is requested to implement the process for the change, approve the new name of Churchill County Rural Public Health Laboratory, and to authorize the Director of Churchill County Social Services to execute the required application to gain the necessary certifications and license per NAC.

FISCAL IMPACT: Estimated \$413,516 / year 220-425.

EXPLANATION OF IMPACT: Personnel, testing supplies, certifications, travel, training, and operations.

FUNDING SOURCE: Agreement with DPBH to support a minimum of 2 years to increase capacity and become insurance / Medicaid billable.

ACTION REQUESTED: Accept

Shannon Ernst, Social Services Director, made this presentation as outlined above. She said this will allow us to move into substance testing, STI testing, and all of the things that this lab was created for.

Commissioner Heath said do you have an estimate for when this will happen? Ms. Ernst said, if

this goes through today, we would have a Contract with the new Laboratory Director and he would be here on March 20th. I would start the certification process. As soon as we provide notification to Dr. Pandori, we have 30 days to get our new certifications and revisions done and into the state, which is why I am requesting approval to sign everything. We then have 30 days from that date to be up and running. Our goal is not to have any gap in services, so it would move from Dr. Pandori to the new Lab Director and they would give us a pending status that would allow us to continue testing. I have met with the State Laboratory oversight folks.

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

Commissioner Harry Scharmann made a motion to approve the transfer of the lab as presented and to authorize Shannon Ernst, Director of Social Services, to execute required applications for certifications and licenses as required for the transition. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

G- Consideration and possible action re: Ratification of an Agreement between Churchill County Social Services and the State of Nevada, Department of Public and Behavioral Health, in the amount of \$388,028, to support Churchill Lab infrastructure.

County Social Services has been awarded funding to support the transfer of the lab to a County Public Health Lab and new location laboratory requirements for 270 South Maine Street. The goal is to create a rural Public Health Laboratory to meet the current and future needs to process specimens of infectious diseases, substance testing, and others as identified.

The overall partnership is guaranteeing funding for up to two years to allow for the capacity to bill outside organizations and insurance to build a sustainable program.

FISCAL IMPACT: \$388,028.

EXPLANATION OF IMPACT: Personnel- \$2,546; Travel- \$3,446; Equipment- \$24,800; Contractual/Consultant- \$238,500; Other- \$85,804; Indirect Costs- \$33,022.

FUNDING SOURCE: Strengthening and Sustaining Nevada's Public Health Infrastructure.

ACTION REQUESTED: Accept

Shannon Ernst, Social Services Director, made this presentation as outlined above. There is a two year process for us to become CMS approved for Medicaid and become insurance billable. The state has agreed to financially support this lab for up to two years to make this happen. This grant is a portion of that to pay for the proposed new Lab Director and some other supplies. Previously, I brought forward and had approved three other grants and all of these would total \$986,000. We have a gap of about \$66,000 and I am working with the state to fill that gap. It pays for a portion of that remodel to move the lab when it is time.

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

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

H- Consideration and possible action re: Approval of an Agreement between Churchill County Social Services and Clinical Laboratories Holding Company, Inc., in the amount of \$5,000 per month, for the provision of professional services as Laboratory Director.

Through evaluation of the ongoing capacity pertaining to UNR Public Health Lab, Satalite Churhcill County, it has been recommenced that Churhcill County pursue transitioning from the partnership with UNR to building a County Public Health Laboratory. As part of that, it requires the termination of the UNR State Health Lab Director and an alternative Laboratory Director that is eligible to serve as oversight.

The recommendation is to implement this contact effective March 7, 2024, with Dr. Alex Stojanoff. This will allow for a transition of Lab oversight, CLIA's, and certifications as required to maintain the lab.

FISCAL IMPACT: \$5,000 monthly.

EXPLANATION OF IMPACT: Contract for Professional Services rate, plus travel expenses.

FUNDING SOURCE: DPBH - Strengthening and Sustaining Nevada's Public Health Infrastructure Grant.

ACTION REQUESTED: Accept

Shannon Ernst, Social Services Director, made this presentation as outlined above. She said that Dr. Stojanoff came highly recommended by the state. They have been working with him since November to be sure that he aligns with the priorities that the county wants to see with the lab. He supports the expansion and all of the things that we are looking at doing. His contract is paid at 100% over the next two years from the funds you just previously approved.

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

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

I- Consideration and possible action re: Approval of an Agreement between Churchill County Social Services and Dr. Alex Stojanoff, PhD, for the provision of professional services to Churchill County.

Churchill County Manager and Social Services Director met with Dr. Alex Stojanoff regarding a partnership as the contract Laboratory Director for the Churhcill County Rural Public Health Lab. Dr. Dr. Alex Stojanoff was interested in the opportunity and expressed the same vision and expertise for expansion of the lab to meet the needs for testing as necessary to implement new specimen testing in the rural areas.

It is the recommendation to contract with Dr. Alex Stojanoff, PhD. effective March 7, 2024.

FISCAL IMPACT: Contract total amount \$80,000.

EXPLANATION OF IMPACT: \$5,000 per month; \$20,000 FY24; \$60,000 FY25

FUNDING SOURCE: State of Nevada DPBH - Public Health Infrastructure & Improvement, Office of Administration Agreement for Lab Infrastructure.

ACTION REQUESTED: Accept

This item was removed as it was a duplication of Item H.

J- Consideration and possible action re: Review and approval of 30-day notification of termination of Agreement between Churchill County and the University of Nevada Reno (UNR) School of Medicine for the Satellite Lab Partnership.

Per previous item, it is required to provide a formal 30-day notice of the agreed upon relationship between Churchill County and UNR School of Medicine. The letter will be provided as a formal notification to UNR, the State of Nevada, pertaining to certifications and licenses, as required.

FISCAL IMPACT: None.

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

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

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

Commissioner Justin Heath made a motion to approve the Chair to execute the letter. Commissioner Harry Scharmann seconded the motion, which carried by unanimous vote.

K- Consideration and possible action re: Review and Approval of 30-day notice to terminate Agreement with Dr. Mark Pandori for Laboratory Director services.

Per previous item, it is required to provide a formal 30-day notice of the agreed upon relationship between Churchill County and Dr. Pandori for laboratory oversight. The letter will be provided as a formal notification to UNR, the State of Nevada pertaining to licenses as required.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Shannon Ernst, Social Services 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 the letter and to authorize the Chair to execute the same. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

L- Consideration and possible action re: Ratification of an Agreement between Churchill County Social Services and the U.S. Department of Housing and Urban Development, in the amount of \$75,294, for rental assistance, supportive services, and administrative costs.

Since 2002, Churchill County Social Services has applied and been awarded to support a homeless housing program. The program provides outreach, intake, assessment, housing placement, and intense case management for up to two years for those that meet the literally homeless federal definition and Churchill County guidelines for assistance.

FISCAL IMPACT: \$75,294.00.

EXPLANATION OF IMPACT: Rental Assistance- \$42,708; Supportive Services- \$26,486; Administrative Costs-\$6,100.

FUNDING SOURCE: HUD Supportive Housing Grant - Federal. The match is allocated from allocations awarded by the Nevada Housing Division Tenant Based Rental Assistance and Community Services Block Grant.

ACTION REQUESTED: Accept

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

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

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

M- Consideration and possible action re: Approval of a Contract between Churchill County Social Services and Turning Point Incorporated, in the amount of \$27,640, to complete a Behavioral Health Intercept and Suicide Reduction Plan, with resource gap analysis, and development of community outcomes.

Churchill County Social Services, in partnership with the Churchill County School District, has determined the need for Behavioral Health Intercept Model mapping, program gaps assessment, and development of formal partnership with service agencies to increase response to community behavioral health needs and reduction of suicide attempts.

Currently, Churchill County Social Services is holding a quarterly Behavioral Health Taskforce meeting to bring partners together to evaluate behavioral health needs. An intercept model has not been completed for the community since 2012, which is outdated and is in need of updating due to new community needs, changes in community agency partners, and overall demographics.

NACO and Churchill County Social Services released a Request for Proposals to evaluate providers that would be best suited to assist in this process. Two proposals were received. In an evaluation based on the outcomes, timeline, and overall expertise, it is recommended that Churchill County contract with Turning Point Incorporated.

The overall cost of the plan is \$27,670. The Churchill County School District has obligated \$10,670 to the project. The Social Services Department has been in conversations with The State of Nevada Grants Management Unit and the Department of Public and Behavioral Health to obtain funding in the amount of \$7,670. Should the funding not be awarded to support this

project, Churchill County Social Services will utilize the department's indigent grant to needy accounts for support, if approved.

FISCAL IMPACT: \$27,670.

EXPLANATION OF IMPACT: \$27,670 - Contract with Turning Point, Inc.

FUNDING SOURCE: \$10,000 - Churchill County School District ; \$7,670 - Grant from State of Nevada or Social Services Grants to Needy account.

ACTION REQUESTED: Accept

Shannon Ernst, Social Services 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 the proposal as presented and to authorize the Director to execute the necessary contracts. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

N- Consideration and possible action re: Resolution No. 5-2024, a resolution declaring certain property of Churchill County as surplus property and authorizing the transfer of said property to the Central Nevada Health District.

Churchill County purchased numerous items through public health grants during the pandemic and the creation of the Central Nevada Health District for the sole use of providing health services to the communities served. Items were purchased through a grant but are allowable for transfer based on maintaining use under the federal rules and agreement with the State of Nevada, Department of Public and Behavioral Health.

This resolution will transfer the assets from 220-425 to the Central Nevada Health District.

FISCAL IMPACT: None.

EXPLANATION OF IMPACT: None.

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

A RESOLUTION DECLARING CERTAIN PROPERTY OF CHURCHILL COUNTY AS SURPLUS PROPERTY AND AUTHORIZING THE TRANSFER OF SAID PROPERTY TO THE CENTRAL NEVADA HEALTH DISTRICT.

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

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

Commissioner Justin Heath made a motion to approve Resolution No. 5-2024, a resolution declaring certain property of Churchill County as surplus property and authorizing the transfer of said property to the Central Nevada Health District. Commissioner Harry Scharmann seconded the motion, which carried by unanimous vote.

O- First Reading - Consideration and possible action re: Bill 2024-B, Ordinance 7, an ordinance amending Title 3 of the Churchill County Code relating to accrual and use of annual leave.

The Churchill County Code establishes the eligibility and accrual rate of leave for county employees. This ordinance: (1) replaces the term "vacation" with the term "annual leave"; (2) clarifies that annual leave is available the first day of the pay period following the one it is earned; and (3) formalizes the manner of use of annual leave in certain circumstances.

(1) The code currently utilizes the term "vacation" for leave accrued by employees and utilized for their convenience. This ordinance replaces the term "vacation" with the term "annual leave" to match other systems in the county and state. The change also adequately reflects the availability of this time for broader purposes than vacation.

(2) The code currently has a conflict between 3.40.010(A) and 3.40.010(B) as to the exact time when annual leave is available for use. The county has been crediting annual leave on the first day of the pay period following the one it is earned for many years in accordance with 3.40.010(A) and is removing the conflicting language from 3.40.010(B) to remove this ambiguity. No employee will have any changes to their current annual leave calculations due to this change.

(3) The code, as written, has an ambiguity that indicates that employees are not eligible to earn annual leave during the first six months of employment. This ordinance clarifies that employees earn annual leave during the first six months of employment but are not eligible to utilize such annual leave as required by statute. See NRS 245.210(2)(e). Employees have already been receiving leave in conformance with this interpretation and no employee will have any change to their current annual leave totals due to this amendment. This ordinance further formalizes a restriction that annual leave may not be utilized when, at the time of use, the annual leave will cause the employee to be paid overtime or cause the employee's regularly scheduled work hours to be paid as overtime. For example, Employee A has worked forty hours for the week on a regular Monday - Friday schedule and requests to use eight hours of annual leave on Saturday. This annual leave would be denied. Alternatively, Employee A utilizes eight hours of annual leave on Monday and works thirty-two hours on Tuesday-Friday. Employee A's supervisor requests that they work a Saturday shift. The Saturday shift would be paid overtime.

FISCAL IMPACT: None.

EXPLANATION OF IMPACT: All changes reflect current practice, and no changes to current annual leave accruals will occur.

FUNDING SOURCE: N/A

ACTION REQUESTED: Set Public Hearing

TITLE: AN ORDINANCE AMENDING TITLE 3 OF THE CHURCHILL COUNTY CODE RELATING TO THE ACCRUAL AND USE OF ANNUAL LEAVE, AND OTHER MATTERS RELATING THERETO.

SUMMARY: THIS BILL REVISES PORTIONS OF TITLE 3 OF THE CHURCHILL COUNTY CODE BY (1) REDEFINING THE TERM VACATION LEAVE AS ANNUAL LEAVE, (2) CLARIFYING THE ACCRUAL OF ANNUAL LEAVE FOR ALL EMPLOYEES, (3) DEFINING RESTRICTIONS ON THE USE OF ANNUAL LEAVE IN CERTAIN CIRCUMSTANCES, AND OTHER MATTERS RELATED THERETO.

Joseph Sanford, Civil Deputy District Attorney, 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 set a public hearing for March 20, 2024 on Bill 2024-B, Ordinance 7. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

Old Business:

A- Consideration and possible action re: Ratification of a proposal from Bruce M. Hahn Real Estate Appraiser & Analyst, in the amount of \$1,650, to provide professional appraisal services for the purpose of evaluating a Conservation Easement on property under the ownership of Dodge Bros, Inc., Assessor's Parcel No. 006-591-06.

As part of Churchill County and the U.S. Navy's Conservation Easement Program, the U.S. Navy has engaged Bruce M. Hahn, Real Estate Appraiser & Analyst, to prepare an appraisal of the unencumbered fee simple interest and an appraisal of the Restricted Use Easement for property under the ownership of Dodge Bros Inc. (APN: 006-591-06). As part of the contract, Bruce M. Hahn agrees to prepare an appraisal of the Conservation Easement on this property for the county's review and consideration. The appraisal report will be used by the county in order to evaluate the potential purchase of a Conservation Easement, which is a requirement of this process. Ultimately, once an appraisal is obtained, if a Purchase Agreement is executed, following Churchill County Commission approval, the cost to purchase the easement will be divided with the Navy contributing 75% and the county contributing 25%, per the Encroachment Protection Agreement.

FISCAL IMPACT: \$1,650 in FY24.

EXPLANATION OF IMPACT: Approving these expenditures will help support the Transfer of Development Rights (TDR) Program for Churchill County, protect productive agricultural land, and reduce the ability for urban growth to encroach upon NAS Fallon. The reduction of encroachment upon NAS Fallon will protect one of our community's most important economic assets. The county's cost is \$1,650 for this appraisal. There are funds available in the budget to pay for Conservation Easement appraisal reports.

FUNDING SOURCE: Water Resources/Contracted Services: 380-380-52400.

ACTION REQUESTED: Accept

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

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

Commissioner Justin Heath made a motion to ratify the proposal from Bruce M. Hahn to

perform a summary appraisal report on property under the ownership of Dodge Bros Inc. (APN: 006-591-06). Commissioner Harry Scharmann seconded the motion, which carried by unanimous vote.

New Business:

A- Consideration and possible action re: Approval of a special assessment on each taxable parcel in the Lovelock Valley Groundwater Basin totaling \$143.08 and to certify the amount of the special assessment to be entered on the 2024-2025 Secured Tax Roll by the County Treasurer.

NRS 534.040 requires the State Engineer to submit the budgeted costs associated with administering a particular ground water basin to the Board of County Commissioners, who, in turn, levy a special assessment on each taxable water user in the basin equal to the costs submitted by the division. The Board of County Commissioners then directs the County Treasurer to place a special assessment on each taxable water user in the basin.

The Nevada Department of Taxation Guidance Letter, dated February 12, 2024, provides directions on the treatment and billing for certain underground water basin assessments “upon all taxable property situated within the confines of a particular water basin” within the county. The groundwater use in the Dixie Valley Groundwater Basin is not predominantly agricultural, since the agricultural irrigation source in the valley is surface water. Guidance Letter 19-004 directs us to simply allocate the charge equally to each property as a “flat rate”.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: As outlined.

FUNDING SOURCE: As outlined.

ACTION REQUESTED: Accept

Linda Rothery, Clerk/Treasurer, 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 levy a special assessment on each taxable water user in the Lovelock Valley Groundwater Basin totaling \$143.08 and to certify the amounts for the special assessments to be entered on the 2024-2025 Secured Tax Roll by the County Treasurer. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

B- Consideration and possible action re: Approval of a special assessment on each taxable parcel in the Dixie Valley Groundwater Basin totaling \$8,114.85 and to certify the amount of the special assessment to be entered on the 2024-2025 Secured Tax Roll by the County Treasurer.

NRS 534.040 requires the State Engineer to submit the budgeted costs associated with administering a particular ground water basin to the Board of County Commissioners, who, in turn, levy a special assessment on each taxable water user in the basin equal to the costs submitted by the division. The Board of County Commissioners then directs the County Treasurer to place a special assessment on each taxable water user in the basin.

The Nevada Department of Taxation Guidance Letter 19-004, dated February 12, 2024, provides directions on the treatment and billing for certain underground water basin assessments “upon all taxable property situated within the confines of a particular water basin” within the county. The groundwater use in the Dixie Valley Groundwater Basin is not predominantly agricultural, since the agricultural irrigation source in the valley is surface water. Guidance Letter 19-004 directs us to simply allocate the charge equally to each property as a “flat rate”.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: As outlined.

FUNDING SOURCE: As outlined.

ACTION REQUESTED: Accept

Linda Rothery, Clerk/Treasurer, made this presentation as outlined above.

Chairman Getto asked if there was any public comment but there was none. Commissioner Scharmann asked if this is the amount that was assessed last year? Ms. Rothery said it is similar, although I haven’t actually done a comparison. Commissioner Scharmann said it wasn’t raised an incredible amount? Ms. Rothery said it was not.

Commissioner Justin Heath made a motion to levy a special assessment on each taxable water user in the Dixie Valley Groundwater Basin totaling \$8,114.85 and to certify the amounts for the special assessments to be entered on the 2024-2025 Secured Tax Roll by the County Treasurer. Commissioner Harry Scharmann seconded the motion, which carried by unanimous vote.

C- Consideration and possible action re: Approval of a special assessment on each taxable parcel in the Brady's Hot Springs Groundwater Basin totaling \$11,368.61 and to certify the amount of the special assessment to be entered on the 2024-2025 Secured Tax Roll by the County Treasurer.

NRS 534.040 requires the State Engineer to submit the budgeted costs associated with administering a particular ground water basin to the Board of County Commissioners, who, in turn, levy a special assessment on each taxable water user in the basin equal to the costs submitted by the division. The Board of County Commissioners then directs the County Treasurer to place a special assessment on each taxable water user in the basin.

The Nevada Department of Taxation Guidance Letter, dated February 12, 2024, provides directions on the treatment and billing for certain underground water basin assessments “upon all taxable property situated within the confines of a particular water basin” within the county. The groundwater use in the Brady's Hot Springs Groundwater Basin is not predominantly agricultural, since the agricultural irrigation source in the valley is surface water. Guidance Letter 19-004 directs us to simply allocate the charge equally to each property as a “flat rate”.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: As outlined.

FUNDING SOURCE: As outlined.

ACTION REQUESTED: Accept

Linda Rothery, Clerk/Treasurer, 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 levy a special assessment on each taxable water user in the Brady's Hot Springs Groundwater Basin totaling \$11,368.61 and to certify the amounts for the special assessments to be entered on the 2024-2025 Secured Tax Roll by the County Treasurer. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

D- Consideration and possible action re: Appointment of Dawn Whitten to the Central Nevada Health District (CNHD) Board to replace Shannon Ernst 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, Social Services Director, Shannon Ernst is serving as one of the county's representatives on the CNHD Board and she has played a key role in helping form the Health District. It was the intent of the County Manager to step down from the Board along with the Social Services Director once the board was functioning and the district was staffed and running. On December 20, 2023, the Board of County Commissioners took action to appoint Pete Olsen in place of County Manager Jim Barbee. This action is to appoint Dawn Whitten to the CNHD for a two-year term, effective March 7, 2024, in place of Shannon Ernst. Ms. Whitten has over 30 years in food service, holds certifications in ServSafe, Produce Safety, Human Resources, and Leadership. Her background, education, professional associations, and experience would be a strong asset to the CNHD Board and staff recommends her 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 Getto asked if there was any public comment but there was none.

Commissioner Justin Heath made a motion to appoint Dawn Whitten to a 2-year term on

the Central Nevada Health District Board to replace Shannon Ernst. Commissioner Harry Scharmann seconded the motion, which carried by unanimous vote.

E- Consideration and possible action re: Approval of the Purchase Agreement for real property at 245 Miners Road (APN 006-191-11) in the amount of \$265,000.00.

The 3C Event Complex and OSER Regional Park continue to attract large numbers of visitors and events to Churchill County. Significant improvements have already been made to the county property south of the 3C Center on Miners Road, including the construction of covered stalls and additional improvements are being planned. This Real Estate Purchase Agreement is for property located at 245 Miners Road, APN 006-191-11, in the middle of the county's Miner's Road properties. Acquisition of this parcel would significantly improve the county's ability to plan improvements in the area and prevent future holdout situations.

The county is offering to purchase the property for its appraised value of \$265,000, with an expected closing date of March 14, 2024. The landowner requires some additional time to move out of the property after closing due to extenuating circumstances and would be allowed to remain until May 15, 2024. The county has prepared a Residential Lease Agreement to that effect. As the property is not intended to remain as a residential dwelling, the impact of the holdover is minimal on operations.

FISCAL IMPACT: \$265,000.00.

EXPLANATION OF IMPACT: As outlined above.

FUNDING SOURCE: Building Reserve Fund.

ACTION REQUESTED: Accept

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

Civil Deputy District Attorney Joseph Sanford said this is a fairly standard Purchase Agreement for \$265,000, which is what the property appraised for. The only difference in this particular agreement is that the individual who is selling the property is under contract for another property, set to close on March 14th, so closing will be very soon. However, due to some personal medical issues, he is unable to leave the property until May 15th, which is why we have allowed him to continue to remain in that property under a Lease Agreement, which is also included in this packet. I would ask that, in addition to the recommended board action, to authorize the County Manager to sign all necessary paperwork to close on this property.

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

Commissioner Harry Scharmann made a motion to approve the Purchase Agreement for real property at 245 Miners Road (APN 006-191-11) in the amount of \$265,000.00 and to authorize the County Manager to sign any necessary paperwork to close on this property. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

F- Consideration and possible action re: Adoption of Resolution 7-2024, a resolution adopting a Fee Schedule for all Churchill County Departments.

The Board of County Commissioners is authorized to adopt numerous fees under the Churchill County Code and each department frequently has fees set by statute, court rule, or historical

practice. Fee schedules are historically managed on a department by department basis, with limited visibility to the public and only sporadic updates. The public is best served by clearly identifiable fees and costs required for the performance of government functions. The county and public are further best served by a clear fee structure that matches the actual costs associated with the governmental services.

This resolution adopts a Master Fee Schedule for fees authorized by Churchill County Code and publicizes the accompanying Fee Schedules for those fees set by Nevada Revised Statute, court rule, or other basis.

Two specific fees are amended and updated pursuant to this schedule: liquor license related fees are converted to an annual fee as authorized by a previously adopted ordinance at the same rate as the previous quarterly fee. In addition, the water dedication fee authorized by CCC 13.02.010(E), which provides for satisfaction of water right requirements by payment in lieu of dedication, has been updated to reflect a market value of \$6,000 per AF for underground water rights.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Adopt

A RESOLUTION ADOPTING A MASTER FEE SCHEDULE FOR VARIOUS DEPARTMENTS THROUGHOUT THE COUNTY.

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

Commissioner Heath asked Linda if these fees were close to what she is charging now. Ms. Rothery said those are the fees being charged. Deputy DA Sanford said no fees were changed, except for the two mentioned: annual liquor license and payment in lieu of water right dedication.

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

Commissioner Justin Heath made a motion to adopt Resolution 7-2024 adopting a Fee Schedule for Churchill County Departments. Commissioner Harry Scharmann seconded the motion, which carried by unanimous vote.

E. G- Consideration and possible action re: Approval of an early retirement incentive for Ronnie Bell, at a cost of approximately \$67,000.

Sergeant Ronnie Bell from the Churchill County Sheriff's Office is requesting approval of an early retirement incentive. Sgt. Bell is requesting the county to purchase 18 months of retirement service credit, with an estimated retirement date of 8/2/24. There are key components of the policy set forth by the county that all law enforcement employees must meet to be considered for the early retirement incentive. One is that the employee must have a 50/50 match (the employee must have purchased at least as much as the employee is requesting the county to

purchase). Sgt. Bell has purchased over 18 months and is requesting the county to purchase 18 months, so he meets that standard.

Another requirement is that the law enforcement employee must have been a county employee for 20 years. Mr. Bell began employment with the county on 6/30/2003, and he has been employed continuously since then, so he also meets this standard. Finally, the policy says that the county will not purchase retirement credit that moves the employee beyond 25 years of law enforcement service and this purchase will meet that requirement.

An estimate of the three-year savings is included with the Agenda Report. The estimate also includes the PERS savings that will be realized by the county. The total overall savings to the county (counting salary and PERS savings) is estimated at approximately \$48,400. The actual amount of savings may be lower, once PERS gives the county final numbers for the cost of the proposed purchase.

Staff has verified that Mr. Bell has already purchased his required match and has verified that, counting the requested purchase, Sgt. Bell will have 25 years of law enforcement PERS service.

FISCAL IMPACT: \$67,000.

EXPLANATION OF IMPACT: The projected impact is an internal estimate for the purchase of 18 months of PERS service credit, based on Sgt. Bell's base rate of pay.

FUNDING SOURCE: Compensated Absence Fund.

ACTION REQUESTED: Accept

Geof Stark, Human Resources 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 an early retirement incentive for Ronnie Bell as outlined. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

C. H- Consideration and possible action re: Application to PERS to renew the certification of the Emergency Manager position for Churchill County as a Critical Labor Shortage Position.

The county has the part-time (19 hours per week) regular position of Emergency Manager in its inventory of positions. This position is currently filled by Richard Ingram, who is a PERS retiree in Nevada. Because he is a PERS retiree, he is normally limited by PERS regulations to working no more than 1,039 hours in a fiscal year and he is not allowed to earn more than \$28,554 in a fiscal year from a public employer.

PERS regulations include a provision in NRS 286.523 which allows a public employer to designate specific positions as qualifying for a Critical Labor Shortage (CLS). If a position is approved as a CLS position, the employer may employ a previously retired PERS retiree into the position and exempt him/her from the PERS limitations. This can be done for a position

which is already filled. The designation lasts for two years.

In May of 2020, to help address the additional hours of work required of the position due to the COVID-19 outbreak, the board approved the position to be designated as a Critical Labor Shortage position by PERS. Such a declaration, which was effective retroactively at the time to April 6, 2020, expired after two years unless it was renewed. The board renewed the designation in March of 2022, again due to additional hours that were needed to address emergency situations that arose. Staff is requesting a renewal of the declaration by the board for another two years in anticipation that the hours limit will be exceeded if emergency operations are needed again in the future.

If approved, the position would continue to be exempt from PERS contributions. The county and employee would continue to make contributions to Social Security.

Pursuant to PERS regulations, the Commissioners are required to take the following points under consideration:

- * The rate of turnover for the position.
- * The number of openings we have had for that position and the number of qualified candidates for those openings.
- * The length of time the position has been vacant.
- * The difficulty in filling the position due to special circumstances.
- * The history and success of the efforts to recruit for the position.

That information is included as part of the agenda packet.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: Staff is not seeking to increase the Emergency Manager's hours any more than they have been for the past two years.

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

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

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

Commissioner Justin Heath made a motion to designate the Emergency Manager position as a Critical Labor Shortage (CLS) pursuant to NRS 286.523 in accordance with PERS criteria, effective April 6, 2024. Commissioner Harry Scharmann 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: Treasurer's Report for January 2024 showing a balance of \$65,581,458.30 in the account.

Clerk/Treasurer Linda Rothery provides the Treasurer's Monthly Report for January 2024 showing a balance of \$65,681,458.30 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 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:

- IEC meeting with the Navy, which was very interesting. There was an after-meeting with grazers.

Commissioner Scharmann had nothing to report.

Commissioner Heath had nothing to report.

County Manager Barbee reported on the following topics:

- We interviewed for the Public Works Director and have hired Randy Hines as our Public Works Director. He will come onboard around the 18th of this month.
- I have participated in many meetings related to the FRTC. There is a tremendous amount going on there.

- The IEC meeting was very informative and we may be looking at taking some communication action to the Commission in the very near future based on those meetings. Part of that conversation was about the timelines on the direct conveyances of the 14,000 acres that are supposed to come to the county. BLM is not working fast and they are looking at a two year process from now from when we get a meeting scheduled. We started meetings with them over a year ago and that was approved over a year ago.
- The checkerboard is off the radar completely. They are talking three years but they do not have any plan that identifies or aligns with how they got to those three years.
- I have been involved with the Ag Advisory Committee at the high school. We are working through advertising for the Ag Teacher position at the high school. It looks like they are getting close to being able to make a hire there and we are excited about that.
- I met with the Fire Department. They have one of the new fire trucks being completed and going through its final inspection process. They will be reaching out to us very soon to have a pushing into the fire house ceremony/celebration that everyone will be invited to.
- Yesterday, I met with some of the folks that managed the Bull Sale in Gardnerville. The Bull Sale was very positively received this last year and the activities and events that are happening there. We will have new and exciting activities for 2025, which will be announced in the near future.

Comptroller Wideman had nothing to report.

Civil Deputy DA Sanford had nothing to report.

Clerk/Treasurer Rothery reported on the following topics:

- Property taxes were due on Monday. We are in the 10-day grace period now.
- We are working on our Delinquent Property Tax Sale.
- We jumped from the Presidential Preference Primary into the regular Primary Election.
- We are in the first week of candidate filing and there is another week for that. All of those who have filed are posted on our website.
- We are working around the clock testing out our new state top-down voter registration system. That will go live in April, so the transition and dual entry has been a lot of work but we will get there.

Sheriff Hickox was not present.

Claims and Payroll Transmittals:

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

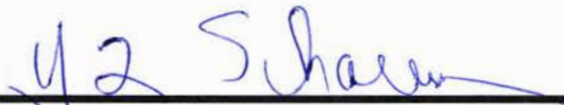
Public Comment:

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

Adjournment:

The meeting was adjourned at 9:22 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