

MINUTES OF THE BOARD OF CHURCHILL COUNTY COMMISSIONERS

155 N. Taylor St., Fallon, NV 89406

April 4, 2024

Call to Order:

The regular meeting of the Board of County Commissioners was called to order at 8:15 AM on April 4, 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. Loni Faught said I am here representing Ashley Laca, who is the founder of Love Fallon. You may have seen some of these signs around town. She asked me to come and inform the board and community about the Love Fallon event being held on April 27th and to request some support from this board. Love Fallon is under the umbrella of a national organization called Love Our Cities. It is a volunteer event to give back to the communities that we live in. Love Fallon is a nonprofit organization, which is a one day community service event. There are different projects scheduled. It will kick off at Oats Park at 8:30 AM and then people will disburse to different service activities throughout the community. Some of the projects that are currently scheduled include a mural being painted on the side of the AVA building across the street from the public library, school landscape clean up, preparing pancakes for the volunteer breakfast, a police car wash for their patrol cars, affirmation cards for our community and the elderly, flower pen for teachers, and some other projects that are still being developed. There is a website and they encourage everyone to go to the website, which is www.lovefallon.org, to sign up for the project they would like to participate in. We already have several partners and our financial sponsors right now are The Depot and Pizza Barn. Also supporting this effort, so far, because we are still working on this, is the City of Fallon, Oasis Community Church, Epworth United Methodist Church, Victory Baptist Church, Church of Jesus Christ of Latter Day Saints, and JustServe. We are trying to raise awareness about the event and we want the entire community to be involved. We are trying to get as many community members, businesses, and public figures involved in this event as possible. Hopefully, we can grow this event to be an annual event. We have raised \$600 through sponsorships and the goal would be \$2,000. Any support is welcomed. Our main

request from the Commission would be to help us disburse this information to the community. We would like to get as many businesses, community members, and public figures involved in this event as we can. We do have the support from the City of Fallon and we wanted to make sure that Churchill County is aware of this project and to give you the opportunity to support it, to be aware of it, and to help us get the information out to as many people within your reach as possible. Thank you for your time and consideration.

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 29th day of March, 2024, between the hours of 8:00 and 11:00 AM at all of the locations listed on the Agenda, in accordance with NRS 241.

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

Appointment Item-N had been withdrawn prior to the meeting 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- March 7, 2024.

The Minutes of the meeting held on March 7, 2024 are submitted for the board's consideration and approval.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED:

Commissioner Harry Scharmann made a motion to approve the Minutes from the meeting held on March 7, 2024 as submitted. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

B- March 20, 2024.

The Minutes of the meeting held on March 20, 2024 are submitted for the board's consideration and approval.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED:

Commissioner Harry Scharmann made a motion to approve the Minutes from the meeting held on March 20, 2024 as submitted. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

Appointments:

A- Consideration and possible action re: Adoption of a Joint Proclamation with Churchill County and the City of Fallon designating April 2024 as Child Abuse Prevention and Awareness Month.

Annually, April is a time to build awareness of child abuse and community response to prevention. The community requests that April 2024 again be proclaimed as Child Abuse Prevention and Awareness month to support increased awareness, to build family unity groups, and further access to services to reduce abuse.

Churchill County Social Services shall provide an overview of activities to be held and what the community can do to help support the effort in our area.

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. She reported that, as of tomorrow, you will see that the town will be painted blue for this event. We will have a kick-off event at Millennium Park at 10:00 AM. Chairman Getto will emcee the event. Our goal, throughout the month, is to provide free family fun events. We will have a free movie at The Fallon Theatre with free snacks and the carnival at the Life Center, which provides agencies coming in to play games with the kids and parents to show what good activities are. We will also have the Great Easter Egg Hunt, which is sponsored by Parks and Recreation. These are things that the community looks forward to. We are asking the board to adopt this Proclamation today and to also join us each Friday during the month by wearing blue to build awareness.

Chairman Getto read the Proclamation into the record and asked if there was any public comment but there was none.

Commissioner Justin Heath made a motion to adopt the Joint Proclamation declaring April 2024 as Child Abuse Prevention and Awareness Month, as presented. Commissioner Harry Scharmann seconded the motion, which carried by unanimous vote.

B- Presentation of a Public Lands and Natural Resources Tracking List.

Resource Concepts, Inc. (RCI) has been monitoring and involved in a host of issues and projects related to public lands and natural resources in Churchill County. This presentation will be an overview and update of those issues.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

Jeremy Drew, Resource Concepts, Inc., said this first item is a quick overview of some of the

things that we are tracking as relates to natural resource and public land issues in the county. As far as the report in your packet, on FRTC and the implementation of Public Law 117.263, there hasn't been a lot of change in the sequencing of what is going on. The focus, recently, has been on grazing compensation for B-16 and the three affected permittees and also trying to work out a system and a template that will ultimately work for everyone in B-17 and B-20. There has been a lot of focus on that. I think there is a lot work yet to be done but there has been progress. Of course, one of the things that the county is really involved in is working on getting Sand Canyon Road rerouted and Lone Tree Road reconstructed to meet some better standards for clearance and things like that. We will be meeting with the Bureau of Reclamation (BOR) and the Bureau of Land Management (BLM) at the middle of the month to talk about that a little more, as well as some of our conveyances and what that process is going to look like going forward. I know the BLM had mentioned the need for the county to submit an SF299 for Sand Canyon Road and we will have that done shortly and likely before the meeting that we have with them so they are not waiting on anything from us.

As far as other issues going on in the county, BLM greater sage-grouse came out for a 90-day review. We have been a Cooperating Agency on that and have spent a lot of time focused on comments regarding their mapping and some of their updated restrictions and limitations that they are proposing because, obviously, that affects the eastern portion of the county. We will be coming back between now and June with some comment letters on that. I would point out that the State of Nevada was looking to adopt some new sage-grouse maps that, for Churchill County, are relatively benign in terms of nothing significantly changing, although there was a lot of behind the scenes work to make sure that that happened because some of the early runs of the U.S.G.S. model actually had some pieces of the county showing sage-grouse habitat that are clearly not.

With regard to Green Link North, we will talk about that in our next Agenda item. Vero Fiber Optic has a decision record, so not much left to do there. There is an update for wild horses at the end in terms of the updated herd numbers.

The only other thing that I provided, because there is such a focus on it, is the B-16 work schedule that was provided at the last IEC meeting. You will see how things are scheduled to lay out, including, of course, all pending funding and actually getting that funding in hand so we can start design on the two roadways. With that, I am open to any questions.

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

C- Consideration and possible action re: Approval of a second scoping comment letter to the Bureau of Land Management's Environmental Impact Statement for the Greenlink North 500-kV Power Transmission Line and proposed 3-mile wide utility corridor.

On July 6, 2023, the Churchill County Commission submitted a scoping letter to the BLM on the proposed Greenlink North Transmission Project Environmental Impact Statement (provided herewith).

Since that time, the BLM has identified the need to evaluate several Resource Management Plan Amendments, including: Amending the existing 2001 Consolidated Resource Management Plan in Carson City District, 1986 Shoshone-Eureka Resource Management Plan/Record of Decision in Battle Mountain District, and 2008 Record of Decision/Resource Management Plan in Ely District in order to establish a new 208-mile long by 3-mile wide utility corridor between Ely and Yerington, Nevada (emphasis added); and, Amending the 2015 Greater-Sage Grouse Plan to modify restrictions for major ROWs for greater than 100 kV high voltage transmission lines outside utility corridors in greater-sage grouse habitat management areas and proximity to leks.

That portion of the Greenlink North alignment in eastern Churchill County does cross Greater Sage-grouse habitat. The proposed utility corridor would also cross the Dixie Valley Training Area and will also impact proposed conveyances from the BLM to Churchill County.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Jeremy Drew, Resource Concepts, Inc., said this is the second scoping comment letter that we have provided to BLM. What they are proposing here is, in addition to the proposed power line, a new 3-mile wide utility corridor. You will see on the screen before you what the Carson City BLM currently has designated for corridors. All of their planning corridors are actually 2-miles wide. There are a few concerns that this brings up. The irony in the whole thing is that the reason the BLM is now proposing a 3-mile wide corridor is their own sage-grouse restrictions prevent them from developing the line without a corridor. When it comes to Churchill County, there are some issues with the Master Plan in terms of having to work through a Master Plan Amendment, potentially, to designate a utility corridor and then, as I mentioned, there are some conflicts between what BLM is proposing and what is in the current Carson City Resource Management Plan (RMP). We have some concerns south of here on U.S. 95. You will recall, in the Lands Bill, we have several recreation public purpose conveyances, as well as the City of Fallon Landfill that we were lucky enough to reroute the power line out of those areas but now the corridor goes back and overlaps them. Obviously, we want to see if we can get away with that.

In the eastern portion of the county, we have the newly designated Wilderness Area in the Desatoya and the Clan Alpine. That 3-mile corridor abuts right up against them. That is probably not the best planning idea to put an ignition source immediately next to a Wilderness Area where you have limitations on fuels management and fire control.

Really, the punchline and the recommendation that we have to the BLM is to sit down and talk through a little bit more what would make sense for a corridor and how it relates to the existing corridors in the RMP. The other concern that we have, which we had a lot of back and forth with the Congressional Delegation and the Navy on, as you will see on this map, the existing corridor runs into and out of the Dixie Valley training area. By designating a 3-mile wide corridor, I don't know if we want to send the message that that is completely open for unlimited

utilities because that wasn't necessarily the intent, at least of the county, when we negotiated to make sure that we had some semblance of connectivity across the county.

With that, I think those are the high points. As I said, they are considering an alternative to align outside of the RMP-pre-parcels south of town. That is the good news. The bad news is the 3-mile corridor presents some new challenges. With that, I would be happy to answer any questions.

Chairman Getto asked if there were any questions for Jeremy. Commissioner Scharmann said why are they asking for 3-miles instead of 2-miles? Mr. Drew said that is a fantastic question and I actually asked that in their public meeting. A couple of years ago, they did what they called at Section 368 Westwide Energy Planning Study. In some areas, and in particular in the Battle Mountain District of the BLM, they designated some 3-mile wide corridors. Those corridors were primarily in checkerboard and I think that is why they were that wide. When I asked that question, they kind of hung their hat on the fact that the Westwide Energy Project designated 3-mile wide corridors. That is not consistent with what we have here in Carson City. That is the concern I get into and we will touch on in the next Agenda item but all of this regionalized planning where really something like this should be done through a Resource Management Plan update, not a one-off through a project. I always really push back to try and stay as consistent as possible with the RMP that is on the district. In this case, we may actually be able to improve what is going on but just throwing 3-miles around the proposed alignment isn't going to get us there. I think it is going to take a little bit more thought and a little bit more due diligence to get this thing right. Commissioner Scharmann said did they answer you when you asked that question. Mr. Drew said no, they just said it was consistent with the 368. I didn't have this at my fingertips but I knew that something didn't sound right. I have since verified that and it is now in our letter.

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

Commissioner Harry Scharmann made a motion to approve the scoping comment letter to the Bureau of Land Management's Greenlink North 500-kV Power Transmission Line Environmental Impact Statement. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

D- Consideration and possible action re: Approval of a comment letter to the Bureau of Land Management's Environmental Impact Statement for the Utility-Scale Solar Energy Development Programmatic EIS and Resource Management Plan Amendment.

In 2012, the BLM completed a 6-state Western Solar Plan that identified Solar Energy Zones and Variance Areas for Solar Development on BLM managed public lands. No Solar Energy Zones were designated in Churchill County but some Variance Area was. Variance Area allows applications for solar projects, with a requirement initial (pre-NEPA) coordination with the County, public, tribal governments, and BLM.

The current planning effort expands the prior effort to include five additional states, to potentially eliminate the Variance Process, and to identify lands as either "Available" for Solar development or "Excluded" from Solar development. The BLM has developed five different

“action” alternatives that result in significantly different areas and amounts of BLM land that would be “Available” or “Excluded” from solar development.

The support material provided herewith includes slides, maps and initial points of consideration for a comment letter.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Jeremy Drew, Resource Concepts, Inc., said what I am presenting to you today is just a quick update of what the BLM is trying to do as it relates to solar development across eleven western states. This kind of ties into our previous Agenda item because the minute you have a new transmission line, you will start seeing solar applications pop up. We have seen a significant amount of applications in White Pine County. We have now had two applications pop up in Lyon County and I would anticipate that it is now just a matter of time before we start seeing more applications here in Churchill County. I felt like giving this update today was good to get you up to speed with what BLM is trying to do. We do not have a letter drafted but we are asking for some guidance so that I can work with the County Manager between now and April 18th to get a letter together. We are working this with several counties.

I want to scroll through quickly what the BLM was saying, share some maps with you, and then share some themes of what I think should go into a comment letter. What the BLM is looking to do is to expand an effort that they started in 2012 for six western states now to eleven western states, so they will add Oregon and Washington to the north. Their intent here is to try to guide solar into better locations and address some of the changes since 2012. In 2012, one of the limitations they had was unless an area was over a certain solar insulation value they didn't consider it for any sort of development. If you look at the State of Nevada, pretty much Highway 50 is kind of a cut-off where anything south of that was available and anything north was not. The technology has evolved where now these companies are starting to push projects further and further to the north.

Some of the key elements, in 2012, it was a 6-state planning area and now they are up to 11-states. In 2012, they worked really closely with some of the counties and we represented Lincoln County on this where they actually developed solar energy zones where they wanted solar energy to go. In some cases, that worked really well. In the case of Lincoln County, it never worked because they were not adjacent to an existing substation. Then they also had what they called a variance area so, if a company didn't want to develop in one of those zones, they had to go coordinate with the BLM and the local governments to say, hey, this is a good place to develop solar and they could get that approved pre-NEPA and then go through the whole environmental review process. What we have found with some of the other counties is that variance process is the only thing that has taken some of the speculation out of where these projects go and force the developers to come to the county and actually consult as to whether or not this is a good place before we get into a whole dispute through the NEPA process, which is never a fun way to go.



Key Elements in Updated Western Solar Plan

2012 Western Solar Plan - No Action Alternative	2023/2024 Draft Programmatic EIS - Action Alternatives
6-state planning area (Arizona, California, Colorado, Nevada, New Mexico, Utah)	11-state planning area (Previous 6-states + Idaho, Montana, Oregon, Washington, and Wyoming)
Created discrete "Solar Energy Zones" and conditionally allowed development on other lands through a variance process	Identifies broad areas open to applications which will be subject to site-specific screening and further analysis
Applies to solar projects 20 megawatts or larger	Applies to solar projects 5 megawatts or larger
Allows development in areas with 5% slope or less	Alternative 1 removes the slope limitation; Alternatives 2-5 allows development in areas with 10% slope or less
Limits development in areas with solar intensity less than 6.5 kWh/m ² /day	Removes limit for development based on solar intensity
Identified exclusion criteria to make certain areas off-limits	Builds on 2012 exclusion criteria by adding and strengthening
Created programmatic design features to mitigate impacts for all solar projects	Updates and additions made to programmatic design features

Please provide your comment on the Draft Solar Programmatic EIS, at:
<https://eplanning.blm.gov/eplanning-ui/project/2022371/510>



One of the concerns that I have is that they are actually proposing to take the variance area out and they are doing this 11-state GIS exercise, in essence, to say what areas are going to be off limits to solar development and what areas will be open to solar development. As BLM will say, that doesn't necessarily approve any projects but we still need to really focus, in my opinion, on making sure they are sited in the right locations.

One of the interesting things they ran here was a reasonably foreseeable development scenario and I think what they are saying is that, in Nevada, they anticipate that, in the next 20 years, that we will have about 48,000 acres of solar developed on public lands. I think that number might be low, quite frankly. There are probably 48,000 acres in applications pending in White Pine County alone right now, let alone Clark, Nye, and some of the other rural counties. What you will see is they are thinking that a lot of alternatives they have proposed is going to open up a lot more area for solar application than they truly need to meet this projected demand.

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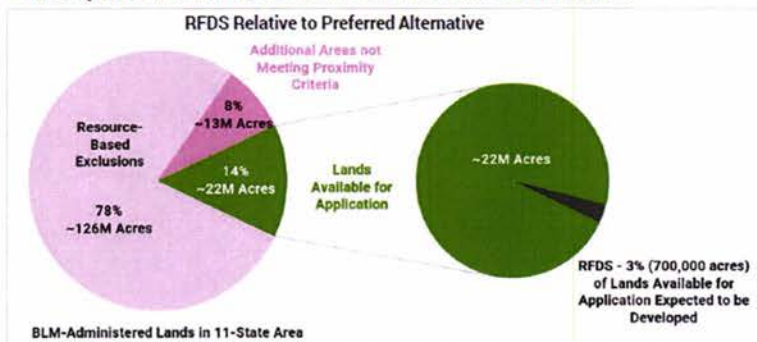
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Reasonably Foreseeable Development Scenario

- Based on acres needed to meet renewable energy goals through 2045
- Same scenario regardless of alternative
- Based on "Solar Futures Study" (Department of Energy)
- Anticipates about 700,000 acres of BLM-administered lands



State	RFDS, Estimated BLM Area Developed by 2045 (acres)
Arizona	198,210
California	109,972
Colorado	45,207
Idaho	89,574
Montana	5,387
Nevada	48,119
New Mexico	11,123
Oregon	51,387
Utah	39,793
Washington	71,781
Wyoming	27,255
Total	697,809



Please provide your comment on the Draft Solar Programmatic EIS, at:
<https://eplanning.blm.gov/eplanning-ui/project/2022371/510>

Mr. Drew said the next page shows how the different alternatives are laid out. Alternative 1 would be the most area open for solar energy development. They have some resource-based exclusions that they are trying to apply across that 11-state area. Alternative 2 adds in a requirement that they have to stay under a 10% slope. Alternative 3 makes sure they are close to transmission, essentially, within a 10-mile buffer of existing or planned transmission. Alternative 4 focuses more on lands that have been previously disturbed but they are relying on a satellite model for that, which I don't think got it quite right. Alternative 5 is a combination of previously disturbed lands and transmission proximity. What will stand out is how that changes where solar is available when we look at the maps.

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Summary Description of Action Alternatives for the 11-State Planning Area

Action Alternatives	Alternative 1 (Resource-Based Exclusions Only)	Alternative 2 (Resource-Based Exclusions and >10% Slope)	Alternative 3 (Transmission Proximity)	Alternative 4 (Previously Disturbed Lands)	Alternative 5 (Previously Disturbed Lands and Transmission Proximity)
What lands are open to application for solar energy development?	Solar application areas are all lands in 11-state planning area except for the excluded areas described below.	Solar application areas are lands in 11-state planning area except for the excluded areas described below.	Solar application areas are lands within 10 miles of existing and/or planned transmission lines >100 kV except for the excluded areas described below.	Solar application areas are previously disturbed (which have diminished resource integrity) except for the excluded areas described below.	Solar application areas are previously disturbed lands (which have diminished integrity) within 10 miles of existing and/or planned transmission lines >100 kV except for the excluded areas described below.
What lands are excluded from solar energy development?	No slope-based exclusion	10% Slope Exclusion applies to Alternatives 2-5 as a general resource protection measure.			
	Resource-Based Exclusion Criteria are applied to all Action Alternatives. For example, exclusion criteria would prohibit solar energy development in all designated and proposed critical habitat areas for species protected under the ESA or in BLM National Conservation Lands.				
What about remaining lands that are not solar application areas or excluded under resource-based exclusion criteria or the slope restriction?	Not applicable (no remaining lands)	Not applicable (no remaining lands)	No development outside of these areas. Remaining areas are excluded.		
Do design features apply to the solar application areas?	Design Features are applied to all Action Alternatives. Design features are project requirements incorporated into the alternatives to avoid, minimize, and/or compensate for adverse impacts. For example, an ecological design feature could require turning off all unnecessary lighting at night to limit attracting wildlife, particularly migratory birds.				

The 11-state planning area consists of Arizona, California (excluding the Desert Renewable Energy Conservation Planning area), Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming.

This next slide we can scroll right by. That is kind of how it works out by alternative in different states. I will show you how that works out better. Alternative 3 is the BLM's preferred alternative. The one issue I have with this is that they are talking about staying within 10-miles of an existing transmission line. What we have found is that it doesn't matter how close you are to transmission lines, what really matters is how close you are to a substation.

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BLM Land Use Allocations by Alternative

Planning Area State	BLM Planning Area	No Action Alternative			Alternative 1		Alternative 2		Alternative 3			Alternative 4			Alternative 5		
		Priority Areas	Lands Available for Application (excludes areas in six state area)	Exclusion Areas	Lands Available for Application	Resource-Based Exclusion Areas	Lands Available for Application	Resource-Based Exclusion Areas	Lands Available for Application	Resource-Based Exclusion Areas	Additional Areas Not Meeting Transmission Proximity Criteria	Lands Available for Application	Resource-Based Exclusion Areas	Additional Areas Not Meeting Disturbed Lands Criteria	Lands Available for Application	Resource-Based Exclusion Areas	Additional Areas Not Meeting Transmission Proximity or Disturbed Lands Criteria
Arizona	12,189,337	196,948	2,861,429	9,548,960	4,884,799	7,228,044	9,295,400	8,823,937	2,292,821	8,861,753	955,263	887,189	8,823,937	2,299,218	725,628	8,861,753	2,321,965
California	4,150,345	0	111,803	4,038,542	1,145,205	3,005,140	220,088	3,580,257	157,688	3,932,003	60,544	115,417	3,932,257	103,817	89,258	3,932,003	129,084
Colorado	8,354,306	22,888	135,548	8,196,717	2,281,301	6,072,374	813,551	7,340,775	543,225	7,361,299	244,782	829,854	7,540,755	483,697	235,270	7,561,299	557,788
Idaho	11,774,992	0	7,055,043	4,719,949	2,850,829	9,724,063	1,835,601	9,389,392	1,473,202	10,005,023	296,767	942,187	9,389,392	89,341.4	856,830	10,005,023	903,139
Montana	8,043,025	0	4,011,386	4,031,339	1,229,774	6,813,252	715,883	7,327,163	209,796	7,328,457	504,772	513,282	7,327,163	202,631	149,389	7,328,457	565,179
Nevada	47,272,125	61,834	8,863,590	40,346,702	19,332,220	28,939,905	12,871,629	34,905,497	6,983,740	35,096,891	5,185,487	2,824,286	34,900,497	9,947,342	1,587,446	35,096,891	10,587,788
New Mexico	13,493,392	29,716	3,915,370	9,548,306	6,361,068	7,192,304	6,090,154	8,498,238	2,387,559	8,525,548	1,980,285	1,765,014	8,493,238	8,235,140	1,361,315	8,325,548	9,664,329
Oregon	15,718,137	0	10,966,383	4,732,813	2,552,851	13,164,335	1,325,451	14,592,746	714,957	14,811,765	391,475	408,871	14,592,746	717,380	305,340	14,811,765	796,059
Utah	22,787,896	17,659	1,815,742	20,934,494	9,893,743	12,884,153	6,562,857	16,205,038	3,766,382	16,273,746	2,725,767	1,305,117	16,205,038	4,624,740	1,570,779	16,273,746	4,923,870
Washington	49,231	0	412,062	25,775	395,229	82,008	725,735	212,168	106,458	312,163	18,676	94,975	312,163	30,169	81,211	312,163	43,823
Wyoming	16,047,498	0	8,139,759	8,307,717	5,417,541	12,629,957	4,124,996	13,922,502	2,980,130	13,971,708	1,095,561	1,778,148	13,922,502	2,345,848	1,444,249	13,971,708	2,681,541
TOTAL	162,166,361	336,195	47,290,796	114,544,384	56,897,816	197,130,534	36,180,723	125,987,828	22,227,475	126,480,298	13,460,580	11,195,484	126,347,829	34,982,238	8,368,715	126,480,298	27,328,341

Mr. Drew continued that these are the different elements that they address is the Programmatic EIS. Because it is such a big planning area, they do this at a very broad level, which is one of my concerns but these are the things they are assessing.



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BLM's Preferred Alternative – Alternative 3, Close to Transmission



Transmission line on public lands in California, source: BLM

- Guides applications to lands with lower resource conflicts that are also closer to existing and potential transmission
- Seeks to avoid and minimize land disturbance and reduce habitat fragmentation, resource degradation, and environmental and cultural resource impacts
- Provides broad land area to support siting for 20-year development scenario
- Supports national renewable energy goals
- Final Plan can incorporate aspects within the range of all alternatives

Please provide your comment on the Draft Solar Programmatic EIS, at:
<https://eplanning.blm.gov/eplanning-ui/project/2022371/510>



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Resource Areas Addressed in the Solar Programmatic EIS

- | | | |
|---------------------------------|----------------------------------|--|
| • Acoustic Environment | • Military and Civilian Aviation | • Specially Designated Areas and Lands with Wilderness Characteristics |
| • Air Quality | • Minerals | • Transportation |
| • Climate Change | • Paleontological Resources | • Tribal Interests |
| • Cultural Resources | • Rangeland Resources | • Visual Resources |
| • Ecological Resources | ◦ Livestock Grazing | • Water Resources |
| ◦ Vegetation | ◦ Wild Horses and Burros | • Wildland Fire |
| ◦ Aquatic Biota | • Recreation | |
| ◦ Wildlife | • Socioeconomics | |
| ◦ Special Status Species | | |
| • Environmental Justice | | |
| • Geology and Soil Resources | | |
| • Hazardous Materials and Waste | | |
| • Health and Safety | | |
| • Lands and Realty | | |



Figure from Solar Programmatic EIS Visual Resources Analysis



Please provide your comment on the Draft Solar Programmatic EIS, at:
<https://eplanning.blm.gov/eplanning-ui/project/2022371/510>

Some of these slides we can zip through pretty fast. They do have required design features and this will come into play that every project would have to follow once they file an application. This is one place where I think coordination with the local government prior to NEPA would be key to adding.



Design Features

- Design features are project requirements that have been incorporated into all the alternatives to avoid, minimize, or compensate for adverse impacts.
- The proposed design features in the Draft Solar Programmatic EIS would update the design features established through the Western Solar Plan that are currently in effect
- Design features are presented in Appendix B of the Programmatic EIS, and address all of the resource areas evaluated. They include requirements for specific plans to address resource-specific impacts.

Bird and Bat Conservation Strategy (includes Nesting Bird Management Plan)
Decommissioning and Site Reclamation Plan
Dust Abatement Plan
Hazardous Materials and Waste Management Plan
Health and Safety Plan
Lighting Plan
Spill Prevention and Emergency Response Plan
Stormwater Pollution Prevention Plan
Threatened and endangered species protection plan
Transportation Plan
Traffic Management Plan
Vegetation/Weed Management Plan
Worker Education and Awareness Plan (WEAP)

Individual Plans Required for Projects through
Updated Design Features

Please provide your comment on the Draft Solar Programmatic EIS, at:
<https://eplanning.blm.gov/eplanning-ui/project/2022371/510>



Mr. Drew said we will talk a little bit about the exclusion criteria but let's scroll down a little bit. You will see that there are 21 different exclusion criteria, everything from sage-grouse to big game habitat and movement corridors. The challenge that I have with this is, if it isn't in a BLM RMP, it is not on these maps and that becomes a problem, especially when you are in a county that has an outdated RMP. For example, some of the sage-grouse mapping isn't completely updated. In the case of Churchill County, all of the things that are in the new Public Law from the NDAA have not been incorporated into the maps. Obviously, we will flag that. Again, there is no exclusion criteria in the case that something doesn't meet your local Master Plan or your local Public Lands Policy Plan. There is nothing that they use to screen that out.

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Resource-Based Exclusion Criteria (see Table 2.1-3 of the Draft EIS for additional detail)

Exclusion No.	Exclusion Type	Description	Exclusion Status for Alternatives Analysis
1	Areas of Critical Environmental Concern (ACECs)	All ACECs identified in applicable land use plans.	Mapped
2	Threatened and Endangered Species	All designated and proposed critical habitat areas for species protected under the ESA (https://ecos.fws.gov/ecp/report/critical-habitat). Known occupied habitat for certain ESA-listed species, based on current available information or surveys of project areas.	Partially mapped
3	Lands with Wilderness Characteristics	All areas for which an applicable land use plan establishes protection for lands with wilderness characteristics.	Partially mapped
4	Recreation	Developed recreational facilities and all Special Recreation Management Areas (SRMAs) identified in applicable land use plans.	Mapped
5	Habitat Areas	Dixie valley toad habitat, Wyoming toad habitat, and Carson wandering skipper habitat. All areas where the BLM has agreements with USFWS and/or state agency partners and other entities to manage sensitive species habitat in a manner that would preclude solar energy development, including habitat protection and other recommendations in conservation agreements/strategies.	Unmapped
6	Greater Sage-Grouse and Gunnison Sage-Grouse	Greater sage-grouse and Gunnison sage-grouse habitat as identified for exclusion in applicable land use plans.	Mapped
7	Land Use Designations	All areas designated as no surface occupancy (NSO) in applicable land use plans. All ROW exclusion areas identified in applicable land use plans to the extent the purpose of the ROW avoidance is incompatible with solar energy development.	Mapped
8	Desert Tortoise	All desert tortoise translocation sites identified in applicable resource management plans, project-level mitigation plans, or Biological Opinions.	Unmapped
9	Big Game	All big game migratory corridors identified in applicable land use plans to the extent the land use plan decision prohibits utility-scale solar energy development. All big game winter ranges identified in applicable land use plans to the extent the land use plan decision prohibits utility-scale solar energy development.	Unmapped
10	Natural Areas and Other Conservation Areas	Research Natural Areas and Outstanding Natural Areas identified in applicable land use plans. All Backcountry Conservation Areas identified in applicable land use plans.	Partially mapped

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U.S. Department of the Interior
Bureau of Land Management

Resource-Based Exclusion Criteria (see Table 2.1-3 of the Draft EIS for additional detail)

Exclusion No.	Exclusion Type	Description	Exclusion Status for Alternatives Analysis
11	Visual Resources	Lands classified as visual resource management (VRM) Class I or II throughout the 11-state planning area and, only in Utah (and small parts of Arizona and Colorado), some lands classified as Class III in applicable land use plans.	Mapped
12	National Scenic Byways	All National Scenic Byways, including all BLM Back Country Byways (BLM State Director approved) identified in applicable BLM land use plans, including any associated corridor or lands identified for protection through an applicable land use plan.	Unmapped
13	National Recreation, Water, or Side and Connecting Trails	All Secretarily designated National Recreation Trails (including National Water Trails) and Connecting and Side Trails identified in applicable BLM and local land use plans, including any associated corridor or lands identified for protection through an applicable land use plan.	Unmapped
14	National Conservation Lands	All units of BLM National Conservation Lands: - National Monuments - National Conservation Areas and other areas similarly designated for conservation, including Cooperative Management and Protection Areas, Outstanding Natural Areas, Forest Reserves, and National Scenic Areas. - National Trails System - All National Scenic and Historic Trails designated by Congress, trails recommended as suitable for designation through a congressionally authorized National Trail Feasibility Study, or such qualifying trails identified as additional routes in law, including any trail management corridors identified for protection through an applicable land use plan. - Trails undergoing a Congressionally authorized National Trail Feasibility Study will also be excluded pending the outcome of the study. - National Wild and Scenic Rivers: - All designated Wild and Scenic Rivers, including any associated corridor and lands identified for protection through an applicable river corridor plan (or comprehensive river management plan). Absent a river plan, protection corridors are ¼ mile to either side of the river from the ordinary high-water mark, unless otherwise provided by law. - Areas outside a designated wild and scenic river corridor when the project would "invade the area or unreasonably diminish" the wild and scenic river's river values. - All segments of rivers determined to be eligible or suitable for Wild or Scenic River status as identified in applicable land use plans, including any associated corridor and lands identified for protection through an applicable land use plan. - Wilderness Areas and Wilderness Study Areas	Mapped

U.S. Department of the Interior
Bureau of Land Management

Resource-Based Exclusion Criteria (see Table 2.1-3 of the Draft EIS for additional detail)

Exclusion No.	Exclusion Type	Description	Exclusion Status for Alternatives Analysis
15	National Natural Landmarks	National Natural Landmarks identified in applicable land use plans, including any associated lands identified for protection through an applicable land use plan.	Mapped
16	National Register of Historic Places (NRHP)	Lands within the boundaries of properties listed in the NRHP, including National Historic Landmarks, and any additional lands outside the designated boundaries identified for protection through an applicable land use plan.	Partially mapped
17	Tribal Interest Areas	Traditional cultural properties (TCPs) and Native American sacred sites that are identified through consultation with Tribes and recognized by the BLM or that are the subject of a Memorandum of Understanding between the BLM and a Tribe or Tribes.	Partially mapped
18	Old Growth Forests	Old Growth Forests identified in applicable land use plans.	Unmapped
19	Lands Previously Found to Be Inappropriate for Solar Energy Development	Lands found to be inappropriate for solar energy development through a prior environmental review process.	Mapped
20	Acquired Lands	All lands acquired by the BLM using funds from the Land and Water Conservation Fund or the Southern Nevada Public Land Management Act, as amended (Public Law 105-263).	Mapped
21	State- or Area-Specific	In Nevada, lands in the Ivanpah Valley, Coal Valley, and Garden Valley. Area surrounding Chaco Culture National Historical Park consistent with Public Land Order No. 7923. Rio Grande Natural Area (as established by Public Law 109-337).	Mapped

Mr. Drew said we can now skip down to the maps. The pink areas show across the Alternatives what is excluded, green shows what is open for solar development, and that little bar at the bottom is their projected development scenario. As you will see, they have significantly more land available for solar than they project needing over the next 20 years and what that starts to look like on maps. With the no action alternative, right now, solar can only occur in Churchill

County within those blue areas and those are variance. Again, if a solar project came in and applied for a project in one of those areas, they would have to come to the county first and coordinate with you and then the BLM would have to sign off on that before they ever began the NEPA process. You can see that, back in 2012, where those solar insulation values were and where we had land available at a less than 10% slope. Obviously, a lot of this is going to come off the table because of the Navy expansion, as well as some of the other lands bill components, but it gives you a sense of what our starting point was. If we scroll down to the next page, we will see the maximum extent of potential development, which is Alternative 1. The only thing they have applied here are the resource exclusion factors, so those 21 criteria in the table above. As you will see, you have potentially open area all the way over the top of the Stillwaters. They need to update their mapping because that is now Wilderness Area. It gives you a sense of just how broadly it would open the county for solar application. I am not so sure we want to go there.



The next alternative adds the 10% slope criteria and it really pulls everything down into the valley bottoms and off the toes of the slope. Again, I think that is pretty significant in terms of the amount of open area there.

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Alternative 2:
Resource-Based
Exclusion Areas +
10% Slope
Exclusion - Pink
&
Available for
Application -
Green



With the next one, remember this is the BLM's preferred alternative, so you will see all of northern Dixie Valley is opened up. There is a lot of land around Grimes Point that, quite frankly, shouldn't be open for solar development. You will see in some of those darker pink areas those areas that start to fall off the map because they are greater than 10-miles away from a transmission line.

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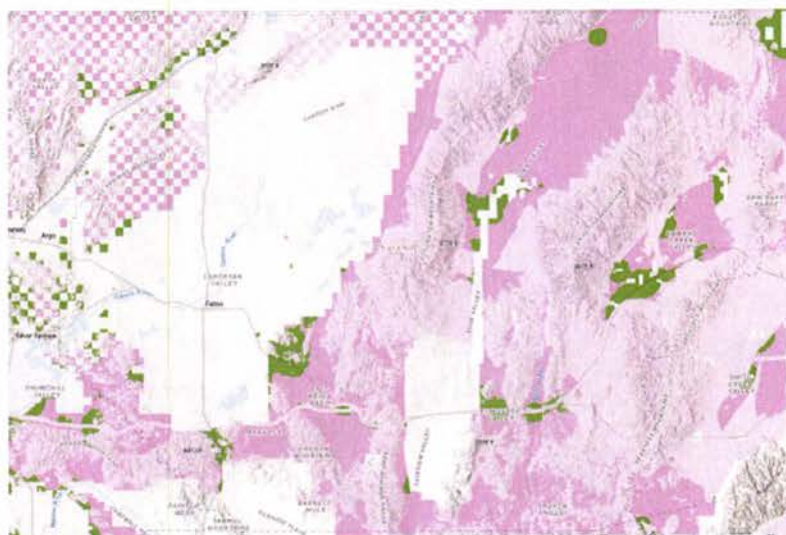
BLM – Preferred Alternative

Alternative 3:
Resource-Based
Exclusion Areas + 10%
Slope Exclusion –
Light Pink
&
Areas >10 Miles from
Power Lines –
Dark Pink
&
Available for Application –
Green



Alternative 4 is the one that is supposed to focus on areas that were previously disturbed. Primarily, they are looking at satellite imagery for noxious weeds or areas that are cheatgrass. Again, I am not so sure that this makes the most sense for Churchill County either.

Alternative 4:
Resource-Based
Exclusion Areas + 10%
Slope Exclusion –
Light Pink
&
Area Not Previously
Disturbed –
Dark Pink
&
Available for Application –
Green



If we go to the last map, this would be the most restrictive area and, again, you would have to be within 10-miles of a power line and then in an area that was previously disturbed or had primarily noxious weeds or cheatgrass. Again, I am not so sure this makes sense when you look at it on a countywide basis.



Mr. Drew said some of the main themes of the letter, which will be based on a template that we have already set up, includes the fact that, obviously, we have a concern with the scope of the planning area across 11-states. This is something that NACO has been working on pretty diligently recently, not only for this effort but also for the sage-grouse effort. Years ago, BLM did an exercise called Planning 2.0 where they were trying to regionalize their plans. NACO and a lot of the local counties strongly objected to that because you take out that local input. That will definitely be one of the main themes of our letter. Because of the scope and scale of the planning area, we have some issues with the mapping. For example, the NDAA Designations are not in there. Some of the exclusions rely on mapping in RMPs that are way outdated. That is the case here. Based on the above, we think that they either need to keep the variance process or some requirement pre-NEPA that requires a developer to come and coordinate with the county and make sure there is not an issue with local codes, ordinances, or plans. There is really nothing in here, which has been our problem with the variance area that prevents speculation, so what happens is it is almost like mining, a new power line is proposed, a company comes in, throws in a 10,000-acre application for solar development with no intent of ever developing that, they just want to tie up the land and then sell it to someone who is intent on developing it and it may be 5 or 10 years down the road. That just takes up a lot of staff time and causes all sorts of issues. We do not want to go there.

Mr. Drew said I ask the question of do we have a preferred alternative? Quite frankly, in what I am in looking at in the BLM and when I look at the maps, I do not think anything stands out as something that we want to advocate for. One of the things that NACO and other western counties have looked at is what they are calling a Western Alliance Alternative, which is provided. Essentially, what that does is really push for solar development in areas of low

conflict in areas that have been previously disturbed or converted to cheatgrass, so it might be an area that has burned that has come back as strictly cheatgrass and doesn't have a ton of value or multiple use on it. To me, for Churchill County, I think that is the one we want to advocate for because it has the strongest tie back to the mandate for coordinating with the local government. If there are any other things or themes that the Commission would like for us to incorporate in the letter, I am all ears. That is where I am thinking we want to go with the comment, at this point. With that, I am open to any input or questions.

Western Alliance
Smart from the Start Alternative

- I. The *Western Alliance Smart from the Start* alternative requires (in addition to programmatic resource-based exclusions) that solar development only occurs on public lands within ten (10) miles of existing or authorized utility transmission lines that are both "disturbed" and "low conflict" such that—
- A. "Disturbed lands" are either:
1. Lands verified as having heavy anthropogenic disturbance (such as abandoned or reclaimed mining sites or lands that have been identified by a state or local land use plan as brownfields for redevelopment) or;
 2. Lands verified as having greater than 40% invasive annuals and on which the ecological site description (ESD) and associated state and transition model (STM)/disturbance response group do not have a restoration pathway back to non-invasive vegetative communities.

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B. "Low conflict lands" are lands that

1. Are neither in "core" nor "growth" sagebrush areas (according to the USFWS Sagebrush Conservation Design), and;
2. Are set back by at least a mile-wide buffer zone from agricultural uses, homes, source water protection areas, important wildlife habitat (e.g. GRSG PHMA and GHMA), and cultural or historical resources, and;
3. Do not include lands identified in an applicable resource management plan (RMP) as suitable for disposal if disposal criteria include meeting local public purposes (including community expansion, recreation, and economic development), and;
4. Do not include important habitat connectivity zones or migration corridors, and;
5. Either do not have valid preexisting rights, permitted uses, or public access routes, or, if these are present, impacts to them are minimized and mitigated, and;
6. Are identified through consultation and coordination with relevant local and state government agencies as being appropriate for utility scale renewable energy development.

- II. The *Western Alliance Smart from the Start* alternative will include a provision stating that lands mapped as being open to solar development (i.e. are mapped as "disturbed" and "low conflict") may be based on modeling and that specific project proposals must be reviewed on a case-by-case basis to ensure the proposed site meets all the above criteria. To summarize, under the *Western Alliance Smart from the Start* alternative, solar development land allocation maps provide an educated guess at which lands are open to solar development, but mapped designations must be confirmed by on-the-ground disturbance verification and coordination with local and state government agencies to confirm "low impact" status.

Commissioner Heath said, with these solar farms, can you graze the land where these things are located? Mr. Drew said I think, by and large, the answer is no, particularly if you have cattle. We have had a couple of developers who have told us that sheep grazing may be an option. There are some technologies that do not require them to completely clear everything of vegetation underneath the panels and some of the technology is still to a point where you have to clear all of the vegetation. I think, by and large, the answer is no and that has been one of the biggest concerns in some of the other counties, in addition to the loss of access and recreation is the loss of grazing. Essentially, which is what I have tried to articulate to BLM and anyone else that would listen, in these cases, a lot of times what you are doing is going from multiple use, which is BLM's mandate, to a singular use and the county really is only seeing the revenue that is generated on construction of the project. It is not like a geothermal plant where you guys get a royalty or a piece of that royalty, BLM gets a lease payment and the county doesn't see any of that. With the exception of maybe one or two jobs for the folks that operate or maintain the system, there is not a lot of long-term economic benefit there. When you start looking at what you lose on multiple use, that is why I am such a big advocate of making sure that the solar developers come and talk to the county first before you even get into the NEPA process.

Commissioner Scharmann said this question might also be for Jim. The company that is coming in to build solar around the railroad tracks, is any of that going to come to Churchill County?

County Manager Barbee said any of the power? Commissioner Scharmann said yes. Mr. Barbee said no, that will be connected to the Master Plan. Correct me if I'm wrong, Jeremy, it will all feed to the Greenlink Project that will then go into some of these substations. Potentially, down the road, a substation could divert power as we need power for development in the 40-mile Desert and in the Hazen desert, based on the meeting that we had last week with NV Energy. They will not entertain a large volume of power until they have a company committed and it is like a 6-year process. Mr. Drew said, to build off of that and maybe speaking more broadly, most of the projects that we have seen in other counties, their primary customer is NV Energy. What they are trying to do is develop projects, get a power purchase agreement with NV Energy, and then NV Energy is using the power from those projects to meet their renewable energy portfolio standards. There is the potential that some of that energy could some day be used in Churchill County but, primarily, your load centers are going to be Washoe County, Reno/Sparks, and Las Vegas.

Commissioner Scharmann said we have a Churchill County Lands Bill passed by Congress. Does that mean that NV Energy would be purchasing the properties from Churchill County or from BLM? Mr. Barbee said, currently, the projects that are being looked at in Churchill County are on private property, not on federal property. There are multiple private owners that are looking at solar projects on that ground. Adjacent to that, in many cases, are federal grounds that could potentially be opened up through checkerboard because of the lands bill. We are a ways out on that.

Chairman Getto said do you know if any other counties have done solar projects on like salt flats or dried lake beds? Mr. Drew said that is a fantastic question. We have had one project proposed in White Pine County for Jake's Valley and there is a huge playa out there. We actually asked the solar developer why they didn't look at developing on the dry lake bed and they said they do not want to be in a flood plain, which is ironic because they day before we had talked to a developer that said we should develop on this piece of private land because it is a flood plain and you can't build anything else there. I think the biggest issue with that is some BLM RMPs will actually flag playas as a sensitive habitat. I don't think Carson City necessarily has that. To me, the bigger issue is probably associated with dust or if something goes wrong, getting out there and dealing with your solar panels when, obviously, you shouldn't be out there driving around. You look at a lot of this and some of those playa areas are excluded. I think a lot of the big ones in Churchill County, with the exception of maybe in the north end of Dixie, the Navy will occupy a lot of that area. I haven't received a straight answer depending on the developer you talk with. Chairman Getto said I just thought it would be the best of both worlds – you put it up against the edge to make sure it doesn't get dusted out and you are not affecting any grazing ground.

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

Commissioner Justin Heath made a motion to authorize the County Manager, in coordination with RCI, to develop and send a comment letter to the Bureau of Land Management's Draft Environmental Impact Statement for the Utility-Scale Solar Energy

Development Programmatic EIS and Resource Management Plan Amendment.

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

E- Consideration and possible action re: Appointment of Jessica Rowe to the Library Board of Trustees to fill an unexpired term ending October 31, 2026.

The Churchill County Library Board is a governing board appointed by the Board of County Commissioners, authorized and directed to make recommendations and provide oversight and direction to the Churchill County Library per NRS 379. The Library Board is comprised of five (5) members, who serve four (4) year terms.

David Brakebill was appointed to the Library Board of Trustees on August 18, 2021 and was reappointed on October 6, 2022 for a four-year term through October 31, 2026. Mr. Brakebill has moved and is no longer able to serve on the board. He tendered his resignation effective January 25, 2024. The vacancy on the board was advertised and two (2) Applications were received: Jessica Rowe and Allison Diegel (see provided Applications). The County Manager, Assistant County Manager, and Library Director have reviewed and interviewed all candidates. Recommendation is being made to appoint Jessica Rowe to fill the unexpired term of David Brakebill, effective immediately through October 31, 2026.

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 Harry Scharmann made a motion to appoint Jessica Rowe to the Library Board of Trustees to fill an unexpired term ending October 31, 2026. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

Following the appointment, the Oath of Office was administered to Jessica Rowe by Clerk/Treasurer Linda Rothery.

F- Consideration and possible action re: Application for Funding in the Amount of \$3,500 to Support the Fallon Armed Forces Day Event.

Nevada Community Alliance, a non-profit 501c3 organization, seeks community support funding in the amount of \$3,500 to support the 4th Annual Armed Forces Day event scheduled on May 18, 2024, at the Rafter 3C Complex (Fairgrounds) in Churchill County. Event coordinators estimate there will be 3,500 participants this year and seek to recognize and express gratitude to all military members and first responders by providing a free lunch and a family-friendly event that is open to the public. Admission is free and the event has grown each year.

FISCAL IMPACT: FY24: \$3,500 +/-

EXPLANATION OF IMPACT: The Miscellaneous Support line item of the Community Support Budget currently has \$6,925.00 remaining through June 30, 2024.

FUNDING SOURCE: Community Support / Miscellaneous Grants: 100-401-70300.

ACTION REQUESTED: Accept

Jim Barbee, County Manager, said I would ask that they go ahead and do their presentation and then I will have a couple of comments regarding budget.

Ms. Essie Burress said I am with the Fallon Armed Forces Day. We are here to ask the county to support our event for the Veterans and first responders. We are requesting \$3,500 to pay for expenses. Chairman Getto asked her to tell us more about the event. Ms. Burress said this is the 4th-year putting on the event. It just keeps growing. We offer a free meal to 1,000 military members and first responders. The money we raise goes back into helping Veterans in the community who are in need.

County Manager Barbee said, in recognition of the budget adjustments that have been requested in each category, we are looking to try, by the end of this fiscal year, to create a 10% savings in that budget. That would not be attainable in this specific budget because that would be roughly \$19,200. In our current Miscellaneous Grant item, we have \$6,925. It does not appear that Julie included what the funding level for this organization was last year. He asked Ms. Burress if she remembered and was told it was \$2,500. Mr. Barbee said they are asking for \$3,500 this year. In terms of trying to maintain the budget, I would ask that you at least consider maybe holding them to a flat budget of \$2,500 versus the \$3,500 because of the budget cuts that we are making across the county.

Commissioner Heath said this is for this current budget, right? This is not for the next budget? Mr. Barbee said that is correct, this is for the FY24 budget, which is the one we are trying to save the 10% in per the budget meeting. Commissioner Heath said I think it is kind of late to ask for that since we have already been approving stuff. Mr. Barbee said I did say it is unachievable. We have \$6,900 total in Miscellaneous. That line item runs about \$20,000 per year and, at this point, you are not going to be able to save 10%. With that in mind, in recognition, they are currently asking for \$3,500, which is \$1,000 more than what they received last year. Obviously, it is at your discretion as to where you want to go with this request. I just want to put the data in front of you. Commissioner Heath said do we have any more requests coming in for this fiscal year? Mr. Barbee said those could come all along the way, although I am not aware of any. We would try to discourage them to create some savings.

Commissioner Scharmann asked if they were having a parade or anything. Ms. Burress said we are not having a parade. We have opening ceremonies with the horses and then we have entertainment, crafters, vendors, food displays. We are inviting the military to come out. We always have the support of our first responders who bring their trucks. Commissioner Scharmann said is this in any way competition with Armed Forces Day in Hawthorne? Ms. Burress said no, it is a different radius.

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

Commissioner Harry Scharmann made a motion to approve funding in the amount of \$3,500.00 to support the Fallon Armed Forces Day Event. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

G- First Reading - Consideration and possible action re: Bill 2024-A, Ordinance 8, an ordinance amending Title 2 of the Churchill County Code to prohibit the transmission of false fire alarms.

Churchill County operates one of the nation's finest volunteer firefighting forces. In recent years, many homeowners have engaged in automated services that call firefighters to the residence anytime an alarm is triggered. The automated transmission of alarms where no actual or perceived emergency exists has resulted in over seventy-five calls for service and five hundred hours of labor by the Fire Department since 2022. The response to false fire alarms disrupts the lives of firefighters, incurs substantial costs, and potentially endangers the lives of persons in an actual emergency.

This Ordinance will establish the authority of the Board of County Commissioners to levy a fine on any person who has initiated a false fire alarm and does not contact the fire department within five minutes. The fine is intended to encourage homeowners with these systems to take steps to reduce the number of call-outs where no emergency exists. Enforcement would be provided by our code enforcement officer based upon receipt of a report from Fire Department staff.

FISCAL IMPACT: Less than \$10,000 in potential collection of fines.

EXPLANATION OF IMPACT: Up to 40 fines issued annually.

FUNDING SOURCE: N/A

ACTION REQUESTED: Set Public Hearing

TITLE: AN ORDINANCE AMENDING TITLE 2 OF THE CHURCHILL COUNTY CODE PROHIBITING THE TRANSMISSION OF FALSE FIRE ALARMS, AND OTHER MATTERS RELATING THERETO.

SUMMARY: THIS BILL REVISES PORTIONS OF TITLE 2 OF THE CHURCHILL COUNTY CODE BY (1) PROHIBITING THE TRANSMISSION OF A FALSE FIRE ALARM, (2) ESTABLISHING THE POWER OF THE BOARD OF COUNTY COMMISSIONERS TO SET A FINE FOR THE TRANSMISSION OF FALSE FIRE ALARMS, AND OTHER MATTERS RELATING THERETO.

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

Jared Dooley, Fire Chief, said this is something that we have been looking at for quite some time to try to figure out a way that we could reduce these false alarms. The types of alarms that we are talking about are a little varied, so it can be tricky to write an ordinance. I believe that Deputy DA Sanford has done a great job here but because the alarms can include anything from dead batteries in a carbon monoxide alarm to burnt toast at somebody's house or a steamy shower at Highlands Manor. All of these things, when they go off, are paged as what looks like

a structure fire to our department. We mobilize the exact same way. You can see the problem there. As I start rolling, the Duty Officer starts rolling, and two engines start rolling, we have 30-40 guys who are leaving their jobs quickly to find out, within about 2-7 minutes, once I show up on scene, we discover somebody in their bathrobe and they have just burnt the toast. We talk to them about it and try to explain the importance of it. In my 22 years on the department, it has never seemed to be this big of an issue but, for a number of factors, one of the largest being a lot of the new construction comes with these monitoring systems that monitor for alarms and they page out immediately. A lot of the owners of these alarm systems aren't terribly up to date on their alarm system or how to acknowledge or clear or contact the Sheriff's Office to say this is not a real alarm. When we get there, most of them are sufficiently embarrassed and say they didn't know that we were going to show up with every fire truck that Churchill County owns, but we do. This ordinance is an attempt to begin to stem that tide a little bit.

Commissioner Heath said how is this going to stop a false alarm by fining people when, right now, if they have any idea it is even happening? This resolution doesn't have anything to say how many times it is going to happen. Is it one time, four times, five times? There is nothing in there that says that. How will this teach people not to have a false alarm? Mr. Dooley said my understanding is, as this moves forward, there will be a fine associated with the first, second, and third transmission of a false alarm. We hope that, with that first transmission of a false alarm, we can instruct the owner of the alarm system to make repairs that can be made or they can call their alarm company and figure out what the PIN code is to their personal alarm. Hopefully, with this first fine that we give, we are talking about allowing the owner of that alarm system to go to the Building Department to say I fixed what the problem was and then maybe the first alarm will be forgiven if that costs any money.

Commissioner Heath said we do not want to put fear into people not to call the Fire Department when they need to. If they have a grease fire on the stove and the alarm goes off but it is out before you get there in 5 minutes, is that a false fire alarm? Mr. Dooley said no. Commissioner Heath said but we do not want people to feel that way. When you fine somebody on the first attempt, people are going to start fearing. Just as people are afraid to call for an ambulance because they don't want to be charged, even though they never will be, they still have that fear. We do not want to put fear into people not to call in case there is an alarm. This just says "false alarm" but I don't think it says anywhere that it has to be from an alarm service or anything. Civil Deputy DA Sanford said the way this is designed is the language is if there is a transmission of a request for service, either automated or manually, where there is no (interrupted). Commissioner Heath said, Joe, could that be somebody just picking up a phone and calling? Mr. Sanford said it could be somebody picking up the phone and calling. It would be that they have no perception that an emergency exists. If they call because there is a grease fire or they think that there is an emergency, that wouldn't be covered. That would not be something we could fine them for. It would only be if they realized there is no emergency and they chose not to call anyway. For example, I burned my Thanksgiving dinner and the alarm went off. I know there is no emergency but I chose not to call anyway and then the Fire Department shows up. In that case, we could issue a first fine. In that case, it is going to work through our Code Enforcement office. Typically, what we would do in that situation, just like

all of our other code enforcement, is we would work with the homeowner to say that we don't really want their \$250 but what we do want is for them to either write down the number so they can call if they have a situation or, if you have something that is causing it, for example, you had the carbon monoxide alarm chirping for 2-3 days but you didn't change your battery and then, when it went off, the Fire Department showed up. That is the type of thing where we want to be able to say there is some level of enforcement that is going encourage people to work with us. I believe, from my discussions with the Fire Department, sometimes they come to these homes and people are embarrassed but they do not actually take responsibility to solve that problem. I know he has a couple of continuous offenders and I think those are the people we are mostly looking at, especially the automated folks. Commissioner Heath said but we are fining the homeowner and not the vendor, right? County Manager Barbee said the homeowner is ultimately responsible for the contract with the vendor. I think it is a very important piece that we haven't really focused on is that we have folks that this has happened with 4 or 5 times and there is no repercussion and they don't seem to move on it. This is not the one time mistake thing. This is where we have a record. Commissioner Heath said my point is that we do not say that in this. Mr. Barbee said that is correct because I don't think you can say you are targeting a specific population. Commissioner Heath said you could say repeated, right, because we are going to threaten the first time someone comes out to a false fire alarm? It is a slippery slope and it starts with that. Now, it depends on the Code Enforcement Officer or Fire Chief. I would be very careful with this. Deputy DA Sanford said we can. The difficulty with doing something with repeated, which is achievable, is that, with that first time, we will have to establish some way to actually not fine but substantiate that we had a false fire alarm so that the second time we could issue the fee. We will go through the whole same process with someone by sending a letter saying that they transmitted a false fire alarm, we have determined that it was a false fire alarm, and, if you want to object, come talk with us but we wouldn't actually be able to issue a fee until the second time, in that situation. The way it is written, it is giving discretion to the Code Enforcement Officer, as well as the Fire Department, to work with folks. Obviously, we do not know to send the fine unless the Fire Department sends us something saying they want to issue a fine to this person. If you would like to, I could attempt to address the repeat offender. Commissioner Heath said I would like to have the word "repeat" in there and not just the first offender. County Manager Barbee said I would remind you that the Code Enforcement Officer reports to the Public Works Director, the Public Works Director reports to the Assistant County Manager, and the Assistant County Manager reports to me, and I report to you. If we have an issue with Code Enforcement staff that we think is being heavy-handed, and that goes beyond this specific example, but anywhere along those lines, ultimately, the Commission has the authority to manage the County Manager and alleviate those kinds of things. There is always hands on the controls at the hands of the Commission. Commissioner Heath said, Joe, I would like to see it say repeated.

Civil Deputy DA Sanford said one other option is that I haven't prepared the resolution for you yet because this is the first reading of the ordinance, but there will be the resolution that will set what the fines would be. The planned progression was to do a first fine of \$250 and then scale it up to \$500 to \$1,000. The other option to doing a repeat is just to decrease the first offense to significantly less and that may address the same concern without creating enforcement difficulties.

Chairman Getto said food for thought here, now that I am thinking about this, is this going to encourage people to disable their fire alarms? If you are a third time offender for whatever reason, you take too long of showers or you burn your food all the time, and you do not want to get that fine, is this going to encourage them to disable their fire alarms? Commissioner Heath said that is what I am talking about it being a slippery slope. This is what people start doing, because I would.

Fire Chief Dooley said these types of ordinances exist elsewhere for the same purpose. Commissioner Heath, I understand your argument of a slippery slope, but to add to what County Manager Barbee said, there are all of these people who kind of move up that chain of enforcement that are all answerable higher and higher. It is the same at the Fire Department where we have a Duty Officer, then an Assistant Chief, then the Fire Chief who are all going to be looking at these things, as well. I don't think the intent of this is to have people disable their systems; it is to bring their systems and make them effective. They are not being terribly effective if these people who own these systems don't know how to input their PIN codes or to contact their alarm companies or to contact the Fire Department after these false alarms have been rung. There is a little bit of damage each way. As far as the Fire Department is concerned, whether the language stipulates that there has to be an initial call for service that was determined to be a false alarm and then a repeat call for service that would institute this \$250 fine, I don't know that we have a dog in that fight. I think, when I look at this ordinance in totality, I see it as a first step towards making people responsible for the systems that they own. It will take a while. Even with an ordinance like this, these people that we see constantly raising these false alarms, and I say constantly not flippantly but because we go to the same houses a number of times, and there is nothing we can do except go to their house every time that they have some situation that happens.

County Manager Barbee said how many false alarms do you have in a day, on average? Mr. Dooley said, with the last quarter that we looked at, I think we had like 50 false alarms. Our department responds to 400 calls in a year on average. Mr. Barbee said there is also potential, when you are responding to a false alarm, to have an actual alarm. Mr. Dooley said that is not a possibility – it happens. We respond to multiple calls a lot. Commissioner Heath said but that is the job of the fire fighters. Your job is to respond when you are called. Mr. Dooley said certainly and we do every time. Commissioner Heath said we still have people who burn their ditches when the wind is 20 miles per hour, knowing that there is a big chance of it burning up something and people still do it, but we don't have an ordinance to ban burn barrels and things, but we can get into that. That is the slippery slope that you run into, so you have to be very careful. Anytime you make a rule, there are always consequences. Mr. Dooley said every time you don't make a rule, there are consequences. Commissioner Heath said right, but now we get into burn barrels and we have had that discussion in the past where somebody's embers go on the house or I am burning the ditch when the wind is blowing at 30 mph, I know I will burn my shed down but it doesn't matter, we still see it all the time. I know it is not the same question, but this is the slippery slope. I understand where you are going but, when you just say, we are going to fine you for the first offense and it is up to discretion, people will disarm their fire alarms and then you may actually have a typical emergency where someone responds. Five

minutes is not a very long time or it could be a long time. If you have your alarm go off and you don't know why, now you may be past that 5 minute period. At that point, you guys are already rolling, so we are going to fine somebody because they had no idea what was going on? That is why you need the repetitive clause in there because things just happen and we do not want to threaten someone with a fine because of an accident happened. That is the way this is written currently.

Mr. Dooley said I agree with that sentiment. We do not want people to not use their alarm systems. The Fire Department would, obviously, be amenable to something, however the attorney wants to word is as to a repeat offense. I believe it accomplishes the same thing for the Fire Department. Commissioner Heath said you said you have this person who has done it 4-5 times and there is no consequence, so that is what I want to see. Mr. Dooley said the people that we see that this happens to, I know that we will see again. I do not that it would be the end of the world as far as this ordinance is concerned. If it has to happen once and then we send a letter and then it happens again. I believe that, when Joe and I first talked about this, we wanted there to be some latitude in there where the Duty Officer, when that fine is issued, it encouraged the person to go fix their system and then there would be no fine associated that would go directly into the county coffers. Commissioner Heath said it is very easy to walk outside and hit that breaker for the fire system and now it is done. Mr. Dooley said, yes, sometimes you can't protect people from themselves.

Commissioner Scharmann said will there be any confusion between fire alarms and burglar alarms? Mr. Dooley said I can't speak to that. Clearly, we do not get called out to burglar alarms but I know that some of those systems are jointly monitored. The same people who monitor fire alarms also monitor door and window breaks and things like that. Civil Deputy DA Sanford said I spoke to the Sheriff's Office regarding whether or not this was a significant issue as it relates to burglar alarms, as well. They were going to let me know if they had an interest in joining it but they expressed that they did not believe that they had enough volume of calls that were not actually a burglar alarm to be concerned. They did mention they have a couple of serial repeat offenders, as well, but this ordinance is only related to fire fighting. Commissioner Scharmann said what was your call about 6:00 AM yesterday? Alex Haffner said it was a false alarm for a CO detector. It had been going off for over a half an hour and he didn't know how to fix it, so he called us. Mr. Dooley said a couple of nights before that, it was a leaky roof that leaked through a smoke detector and then six hours after the carbon monoxide detector, we went to a burned toast call. I am not being flippant about this. I always want to recognize that we really want to pursue this a little bit so that people who have legitimate emergencies, real fires, whether they burned a ditch off themselves or not, we are going to show. I do not want our response to be slowed by a false alarm offender. Commissioner Heath said some people just don't know what an actual emergency is. That is where you have to watch. For someone with a grease fire on their stove, we know to put a pan on it or throw flour on it, but there are a lot of people who do not know what to do. We want you to go out and stop that fire before their house burns down. An emergency could be something different for me than it could be for you because we are trained and know what to do, but a lot of people aren't. Anytime we put rules in, we have to understand there could be consequences and I just want to be very careful.

Chairman Getto said I think we are all on the same page here that we want to pursue this to some extent and that is what we are voting on. What the actual ordinance will read will come at the future date. I think if we want to pursue this, it is pretty easy to move on from here.

Commissioner Justin Heath made a motion to set a public hearing for April 17, 2024 on Bill 2024-A, Ordinance 8. Commissioner Harry Scharmann seconded the motion, which carried by unanimous vote.

H- Consideration and possible action re: Approval to accept Shaw Engineering's final Preliminary Engineering Report (PER) and Environmental Review for the water treatment plant located at the golf course facility.

The current water treatment plant will be at capacity with current water users, equivalent dwelling units held in reserve, and several projects in the pre-development phase, including the Coleman Road Multifamily Housing Project. Any additional future development could be halted until sufficient capacity to treat groundwater is available. Completing a PER for a treatment plant will put the county in a better position to solicit grant funding or other funding avenues.

FISCAL IMPACT: None. The cost of completion of the PER and Environmental Review is included in the previously approved \$295,000.

EXPLANATION OF IMPACT: There is no cost for the completion of the PER and Environmental Review. The cost will be identified after receipt of bid proposals for the plant construction. The county has received \$6,000,000 in funding towards the construction of the plant.

FUNDING SOURCE: Reimbursement from FY2022 Appropriations Act.

ACTION REQUESTED: Accept

Chris Spross, Assistant County Manager/HR Director, introduced Randy Hines, who is the new Public Works Director. Randy comes to us from Lumos Engineering, where he spent almost 20 years working for them. Moving forward, Randy will be making these presentations to you. Mr. Spross then made this presentation as outlined above.

County Manager Barbee said this is reimbursable through the EPA grant, correct? Mr. Spross said I have mentioned this at several of the meetings. We received a 2022 earmark for this in the amount of \$300,000. That was going to take us a long time to get so, about 18 months ago, the board approved this money being spent out of the Water/Wastewater Fund. We have, in turn, found out that we can get reimbursed for these expenditures. We are in the process, right now, of getting the reimbursement for this amount of \$295,000. Although it was approved to be spent from the county, we will be reimbursed.

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

Commissioner Harry Scharmann made a motion to approve Shaw Engineering's final Preliminary Engineering Report and Environmental Review for the new water treatment

plant located at the golf course facility. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

I- Consideration and possible action re: Approval to execute an Agreement between Churchill County and Shaw Engineering, in the amount of \$889,000, for engineering design, bidding, and construction administration for Phase 1 of the Central Zone Water Treatment Plant.

On November 2, 2023, this board approved a Grant Funding Agreement between Churchill County and the State of Nevada, Department of Conservation & Natural Resources, for \$6,000,000 towards the construction of the secondary water treatment facility. The county received a proposal from Shaw Engineering for design, bidding, and construction administration at a cost of \$889,000.

FISCAL IMPACT: \$889,000.00.

EXPLANATION OF IMPACT: The fiscal impact covers the cost for engineering design, bidding, and construction administration.

FUNDING SOURCE: Nevada Water Conservation & Infrastructure Initiative Grant.

ACTION REQUESTED: Accept

Chris Spross, Assistant County Manager/HR Director, made this presentation as outlined above. The first phase of the plant includes the design of the wells, the transmission mains, equipping the wells, and some costs associated with the plant as a whole, such as survey and geotechnical investigations and reports. The cost of that proposal is \$889,000. That does not include the design of the plant, as that will be Phase 2. I want to bring to the board's attention that this money will be expended as part of the \$6,000,000 ARPA Grant that was received for the construction of this plant. Nick O'Connor from Shaw Engineering is here if there are any questions regarding the proposal. We will be happy to answer any questions you have.

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

Commissioner Justin Heath made a motion to approve an Agreement between Churchill County and Shaw Engineering, in the amount of \$889,000, for engineering design, bidding, and construction administration for Phase 1 of the Central Zone Water Treatment Plant and to authorize the Chair to execute the same. Commissioner Harry Scharmann seconded the motion, which carried by unanimous vote.

J- Consideration and possible action re: Approval of a revised Agreement with Nevada Housing Division pertaining to the Home Means Nevada Initiative and Churchill County, in the amount of \$1,743,500, to support property rehabilitation and implementation of the New Pass House and Day Center and Deed Restriction upon property at the close of escrow for a 30-year affordability period.

Previously, the funding Agreement was placed for an alternative location and the Deed Restriction was recorded. Since this time, the scope of work pertaining to the location has been updated to the new location on Quail Way. It is requested to execute the new Agreement and Deed Restriction for the new property to allow for the New Pass House and Day Center to be allocated as part of the Home Means Nevada Initiative to create placement for Transitional

Housing and a day center for the homeless to obtain services, access showers, laundry, and warming kitchen.

FISCAL IMPACT: \$1,743,500.

EXPLANATION OF IMPACT: Grant funds to be expensed no later than December 31, 2026.

FUNDING SOURCE: Home Means Nevada.

ACTION REQUESTED: Accept

Shannon Ernst, Social Services Director, made this presentation as outlined above. As an update, we are also looking to come up with a relocation plan for the current tenants. At the next meeting, you will have an Agreement before you for property management and that will probably be a ratification because we need to get that in place so that we have a property management company in place to help with the relocation of tenants and making sure that the property is maintained during the time period that we are going through this.

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

Commissioner Harry Scharmann made a motion to approve the revised Agreement and Deed Restriction as presented and to authorize the Chair to execute the same. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

K- Consideration and possible action re: Review and approval of an Agreement with Crescendo to complete the Strategic Plan for Churchill County Social Services, not to exceed \$13,000.

Churchill County Social Services completed a Community Assessment with Crescendo in December 2023 as required for the Community Action Agency designation. The next step is to complete the Strategic Plan process. Churchill County Social Services has not completed an updated plan since 2015. Churchill County Social Services feels this is perfect timing with the change in the department since the pandemic and the additional services offered through the William N. Pennington Life Center.

Many community agencies and members will be engaged in the process to evaluate the needs and barriers of services identified during the community assessment conducted, then align in the development of strategies to reduce such barriers over the next 1, 3, and 5 year timeframe.

This project is in partnership with the Nevada Community Action Association, which is funding the project for the contract. Social Services will provide staffing for administration of the process and participation in the plan development.

FISCAL IMPACT: Not to exceed \$13,000.

EXPLANATION OF IMPACT: Contracting with Crescendo will provide for the Strategic Plan.

FUNDING SOURCE: Nevada Community Action Association - Region IV Planning funds.

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 Agreement as presented and to authorize the Director of Social Services to execute the same. Commissioner Harry Scharmann 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 State of Nevada, Health and Human Services Director's Office, in the amount of \$150,000 from April 1, 2024 - June 30, 2025, to support the Technical Assistance Project to maximize Medicaid reimbursements to Churchill County.

Last November, County Manager Barbee and Shannon Ernst met with Director Whitley from the State of Nevada, Health and Human Services. As part of the conversation, the Director feels Medicaid is being underutilized for a span of services across county governments. It was recommended that Churchill County conduct a pilot to evaluate countywide eligible services that could be reimbursed by the federal/state Medicaid Program.

Churchill County Social Services completed a search for consulting firms that have completed such work previously. This was to evaluate if a consultant or full-time time employee in the county would be more desirable. After evaluation, it was determined that the consultant would be more desired.

The Director's Office has funded \$150,000 for the project from April 1, 2024 - June 30, 2025.

The Social Services is working with the Civil District Attorney's Office to complete the necessary contract with CSH, a consultant that has invaluable experience with Medicaid. CSH will work with all pertinent departments in the county, such as Social Services, Juvenile Probation, Public Defender's Office, Sheriff's Office, Parks and Recreation, Court Services, etc. who are willing participants for the Medicaid billing mapping.

Social Services is requesting ratification of the grant Agreement between the Social Services Department and the State of Nevada, Department of Health and Human Services Director's Office, in the amount of \$150,000 and further to authorize the Social Services Director to execute the Agreement between the department and CSH when the final draft is completed with the Civil District Attorney's Office.

FISCAL IMPACT: \$150,000.00.

EXPLANATION OF IMPACT: 100% to be allocated towards contractor.

FUNDING SOURCE: State Funding: Fund for Healthy Nevada.

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 and ratify the Agreement as presented and to authorize the Social Services Director to execute the negotiated

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

M- Consideration and possible action re: Ratification of funding Agreement between Churchill County Social Services and the State of Nevada, Department of Health and Human Services, Division of Public and Behavioral Health, representing an increase from \$202,566 for a period of November 1, 2023 - June 30, 2024 to \$715,634 for a period of November 1, 2023 - July 31, 2026.

In November 2023, Social Services brought to the Board of County Commissioners the grant Agreement from the Division of Public and Behavioral Health (DPBH) to support personnel and operations in the new Churchill County Rural Public Health Laboratory. This is part of the State of Nevada's commitment for the next two years to build laboratory service across Nevada, specifically Churchill County.

The November 2023 grant Agreement has been amended not to expire on July 31, 2024, in the amount of \$202,566, but to expire July 31, 2026, and to be increased to \$715,634 for total allocation.

FISCAL IMPACT: \$715,634.00, increase of \$513,068.

EXPLANATION OF IMPACT: Personnel \$642,520 - Laboratory Scientists 100%, Laboratory Assistant 100%, Accounting/Grant Specialist 3%, and Social Services Director 5%. Operating \$18,454 - vehicles, lab supplies, PPE, cell phone, data logger calibrations, etc. Other \$1,650 - General Office Supplies; Indirect 8% \$53,010.

FUNDING SOURCE: Federal pass through ELC.

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.

N- Consideration and possible action re: Approval of a revised job description for the Building Official for use after the retirement of the current Building Official in May 2024.

The current structure for the county has the Building Department as a stand-alone department with the Building Official as the Department Head. The revised organizational structure of the county will position the Building Department under the oversight of the Public Works, Planning and Zoning Department and, subsequently, under the oversight of the Public Works Director.

NRS 278.570 states:

The governing body of any city or county may provide for the inspection of structures and the enforcement of the zoning regulations and building codes by means of the withholding of building permits. For the purpose of the inspection of structures and the enforcement of building codes by means of the withholding of building permits, the governing body may establish and fill a position of city or county building official, and may fix the compensation

attached to the position, or may authorize an administrative official of the city or county to assume the functions of the position in addition to his or her customary functions. A building official must comply with the requirements for certification and continuing education established pursuant to NRS 278.577.

This position is not required to be a Department Head position and, as such, the revised job description has removed the Department Head responsibilities, such as budget preparation and hiring and termination authority. The position was also changed from an exempt to a non-exempt position.

The wage determination for the revised job description has been placed at Grade XX. This will result in an annual savings of \$XXXXXX in wages and benefits.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

This item was withdrawn prior to the meeting.

Letters Received:

A- Nevada Division of Environmental Protection's notification of its review of the Fourth Quarter 2023 Groundwater Monitoring Report, Conceptual Site Model approval, and continued groundwater monitoring for the City of Fallon's Maintenance Yard at 190 North Maine Street, Fallon, Nevada.

The Nevada Division of Environmental Protection provides notification that it has reviewed the Fourth Quarter 2023 Groundwater Monitoring Report for the City of Fallon's Maintenance Yard at 190 North Maine Street, Fallon, Nevada. The report summarizes the monitoring and sampling of 13 of the 15 site monitoring wells. MW-2 and MW-4 could not be sampled due to recent improvements to the site. Depth to groundwater in site monitoring wells averaged 6.41 feet below the top of the well casings. The estimated groundwater flow direction was towards the east-southeast at a gradient of 0.002 feet/foot. Gasoline related contaminants (benzene, toluene, methylbenzene, xylenes) were not detected in groundwater samples above the Nevada State Action Levels (SAL). Methyl-tert-butyl-ether (MTBE) was detected in 5 of the 13 wells sampled. Three of the wells contained MTBE at concentrations exceeding the SAL of 20 µg/L: MW-11 (41.3 µg/L), MW-12 (26.1 µg/L), and MW15-D (33.7 µg/L).

Broadbent recommended preparing a Conceptual Site Model (CSM). The intent of the CSM is to provide sampling and construction details of the on-site municipal supply wells and to identify data-gaps that remain at the site in preparation of closure. NDEP concurs with this recommendation. Broadbent also recommended discontinuation of groundwater sampling based on relatively stable concentrations of MTBE remaining in site monitoring wells. NDEP does not concur with this recommendation. Until a preliminary decision to close the case is issued, groundwater monitoring must continue.

The next quarterly report is due no later than April 28, 2024.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

B- Friends of the Wild (horses and burros) letter related to safe and humane treatment of wild horses and burros when being rounded up by the Bureau of Land Management.

The Friends of the Wild (horses and burros) provide a letter related to safe and humane treatment of wild horses and burros when being rounded up by the Bureau of Land Management. The Nye County Board of Commissioners adopted Bill 2023-11, Ordinance 599, to ensure safe and humane treatment during and after the roundups of wild horses and burros within Nye County. The letter also requests that the board consider not supporting the building of solar fields in areas that threaten wild horses or burros, endangered species, or that remove precious water.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

C- Letter of appreciation from the organizers of the 2023 Maine Street Spooktacular for the funding provided for the event.

Organizers of the 2023 Maine Street Spooktacular write to thank the board for the funding provided for the event in October 2023. More than 2,000 kids enjoyed a fun and safe trick-or-treating experience on Maine Street. The Bloodmobile was there and collected 22 units of plasma and platelets to help local patients. The Churchill County High School audio/video class created a piece on the event, which can be viewed from the group's Facebook page.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

D- Nevada Governor's Office of Energy notification that ORNI 32, LLC has submitted its Annual Compliance Report 2023 and that they have been found to be following the terms of the Abatement Agreement.

The Nevada Governor's Office of Energy provides notification that ORNI 32, LLC has submitted its Annual Compliance Report 2023 and that they have been found to be following the terms of the Abatement Agreement.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

E- Nevada Division of Environmental Protection's notification of its review of Wellsco Drilling's Post Remediation Groundwater Monitoring Report for the mobile source

release at the intersection of U.S. 50 and Downs Lane in Fallon, Churchill County, Nevada.

The Nevada Division of Environmental Protection (NDEP) provides notification of its review of Wellsco Drilling's Post Remediation Groundwater Monitoring Report for the mobile source release at the intersection of U.S. 50 and Downs Lane in Fallon, Churchill County, Nevada. The report summarized the monitoring and sampling of one site monitoring well on February 7, 2024. The depth to groundwater was reported at 4.95 feet below the top of the well casing. No free product was observed and no detectable concentrations of volatile organic compounds were reported in the groundwater sample.

Converse recommends continuing the quarterly groundwater monitoring program. If chemical concentrations at the site remain below maximum contaminant levels following one year of monitoring, Converse recommends the case be closed. NDEP concurs with this recommendation. The next groundwater monitoring report is due on April 28, 2024.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

F- Nevada Division of Environmental Protection's notification of its review of the Annual 2023 Groundwater Monitoring Report for the Old High School at 690 South Maine Street, Fallon, Nevada.

The Nevada Division of Environmental Protection (NDEP) provides notification of its review of the Annual 2023 Groundwater Monitoring Report for the Old High School at 690 South Maine Street, Fallon, Nevada. The report summarizes the monitoring and sampling of 11 site monitoring wells conducted on June 23rd for the 1st semester of 2023 and 6 site monitoring wells on December 18th of the 2nd semester of 2023. Depth to groundwater in site monitoring wells ranged from 1.50 to 18.87 feet below ground surface during the June sampling event and 1.68 to 13.96 feet below ground surface for the December sampling event. During the June sampling event, the estimated groundwater flow direction was towards the southeast at a gradient of 0.0019 to 0.058 feet/foot. During the December sampling event, the estimated groundwater flow direction was towards the southeast at a gradient of 0.0076 to 0.0986 feet/foot.

Dissolved phase contaminants were detected in groundwater samples above the U.S. Environmental Protection Agency Maximum Contaminant Levels (MCLs) and/or the Nevada State Action Levels (SALs) for Benzene.

The report recommends continuation of semi-annual groundwater monitoring and yearly reporting. NDEP concurs with this recommendation. The next yearly report is due no later than January 28, 2025.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

G- Nevada Division of Environmental Protection's request for Release/Spill Information from Lumen Technology for a release of level 3 contaminants at I-80 Exit 65 on Nightingale Road in Churchill County, Nevada.

The Nevada Division of Environmental Protection (NDEP) requested release/spill information from Lumen Technology for a release of level 3 contaminants at I-80 Exit 65 on Nightingale Road in Churchill County, Nevada. The NDEP received notification, on March 12, 2024, of a release/spill of contaminants on Interstate 80. A fuel filter on the generator belly tank cracked, releasing approximately 150-170 gallons of diesel fuel to the surrounding soil and pavement. Because this release appears to have resulted in contamination and exceeds limits or quantities established by Nevada Administrative Code, they are required to provide an evaluation of the release. They are required to provide 1 of 2 reports within 45 days from the date of this letter but no later than April 29, 2024.

The information that is provided will be used to ensure that sound decisions are collectively made regarding the release. Every effort should be made to determine the source and location of the release. Additionally, every effort should be made to isolate, contain, and remove the source of the release and repair or replace equipment and revise operating, maintenance, and inspection procedures necessary to prevent recurrence of this release.

Community health and safety concerns require that a rapid recovery and remediation effort be made. Cleanup of the site should be as quick as possible. Consulting services should be used when it involves response, assessment, or cleanup of a hazardous substance release that is conducted for a fee and must be performed under the direction and responsible control of a Nevada Certified Environmental Manager.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

Commissioner Scharmann asked for more of an explanation on this item. County Manager Barbee said I can get more information and report back to the Commission. Civil Deputy DA Sanford said I would be happy to do a little more research into what exactly happened here. Chair Getto said, from the looks of it, it was a release of approximately 150-170 gallons of diesel fuel to the surrounding soil and pavement. It might have been a tractor trailer, possibly. It could have just been an accident. We can look into and bring it back on the next meeting. Note: Additional comments made in the last public comment of this meeting.

H- Bureau of Land Management's notification that it has published a Notice of Intent in the Federal Register to announce the development of a new Environmental Impact Statement (EIS) for a proposed new gold mine in Pershing County, the Spring Valley Mine Project, by Solidus Resources, LLC, with a 30-day public comment period.

The Bureau of Land Management (BLM) provides notification that it has published a Notice of Intent in the Federal Register to announce the development of a new Environmental Impact Statement (EIS) for a proposed new gold mine in Pershing County by Solidus Resources, LLC, with a 30-day public comment period.

Solidus Resources, LLC has submitted a Plan of Operations for the Spring Valley Mine Project, which is located in the historic Spring Valley Mining District on the eastern slope of the north south trending Humboldt Range, approximately 12 miles south of Unionville and 20 miles northeast of the Town of Lovelock.

An outline of the project is provided in the letter. The proposed mine will create 250 new jobs in Pershing County and contribute to the economy.

Public comments can be made until April 17, 2024 as outlined in the letter.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

I- Bureau of Land Management's notification of the issuance of a Finding of No Significant Impact and Decision Record for the North Ranch Road Communications Tower Project in Lander County, Nevada.

The Bureau of Land Management (BLM) provides notification of the issuance of a Finding of No Significant Impact (FONSI) and Decision Record (DR) for the North Ranch Road Communications Tower Project in Lander County, Nevada. The documents are available for review at: <https://eplanning.blm.gov/eplanning-ui/project/2024243/510>.

The project will be located on public lands administered by the Bureau of Land Management Battle Mountain District, Mount Lewis Field Office. The ROW grant would include approximately 3.27 acres, consisting of the tower facility, access road, two underground fiber-optic utility routes, and a temporary use area for staging.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

J- Bureau of Land Management's notification of the issuance of a Finding of No Significant Impact and Decision Record for the Whirlwind Resource Confirmation Project in Lander County, Nevada.

The Bureau of Land Management (BLM) provides notification of the issuance of a Finding of No Significant Impact (FONSI) and Decision Record (DR) for the Whirlwind Resource Confirmation Project in Lander County, Nevada. The documents are available for review at: <https://eplanning.blm.gov/eplanning-ui/project/2026320/510>.

The project is located approximately 11 miles southwest of Beowawe, Nevada. The project includes the construction, operation, and reclamation of surface disturbance activities associated with resource confirmation (i.e. drilling and testing of geothermal wells and access road construction). The project area of interest is within portions of Ormat's federal geothermal lease NVN-083968 (NVNV105383828).

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

New Business:

A- Consideration and possible action re: Approval of a special assessment on each taxable parcel in the Carson Desert Groundwater Basin totaling \$18,000.00 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 Carson Desert 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: The total of \$18,000.00 will be divided up for each taxpayer in the Carson Desert Groundwater Basin and a special assessment will be reflected on the FY24-25 tax bill.

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 Carson Desert Groundwater Basin totaling \$18,000.00 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.

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: Notification of investigation for Guardianship of Protected Person #577B0BEC3, 24-10DC-0378.

Notification of Guardianship investigation of Protected Person #577B0BEC3.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

C- Consideration and possible action re: Treasurer's Report for February 2024 showing a balance of \$67,766,287.39 in the account.

Clerk/Treasurer Linda Rothery provides the Treasurer's Monthly Report for February 2024 showing a balance of \$67,766,287.39 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

D- Consideration and possible action re: Sheriff's Civil Report for the month of February 2024 totaling \$6,349.00.

The Sheriff's Office provides its Civil Report for February 2024 for the board's review and acceptance. A total of \$6,349.00 was received as revenue for the month.

FISCAL IMPACT: \$6,349.00.

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

FUNDING SOURCE: General Fund.

ACTION REQUESTED: Accept

E- Consideration and possible action re: Winnemucca District Office of the Bureau of Land Management's (BLM) request for the county's desire to remain on the mailing list for grazing related issues.

The Bureau of Land Management (BLM) requests notification of Churchill County's desire to remain on the mailing list for grazing related issues. BLM frequently seeks public participation in their decision-making process. Consultation, cooperation and coordination are the core of the participation process and provide the BLM decision-maker the opportunity to consider the most complete information before making decisions. In the past, BLM has generated more specific allotment mailing lists as they have completed allotment evaluations. The BLM suspects that not everyone on these mailing lists may be interested in participating in the decision-making

process for all the specific types of grazing management actions listed in the notice. Therefore, in an effort to create a more accurate mailing list and reduce unnecessary mailings, they are asking that the board notify them in writing of its desire to be considered as an interested public for livestock grazing management on lands administered by the BLM. The regulations require the board to identify a specific allotment or allotments in which the board is interested, rather than a blanket assertion that it is interested in “all” allotments. BLM is asking that the board identify the type of action(s) that it is interested in from the list included in the notice and should include:

1. The specific allotment(s) it is interested in by name; and
 2. The specific type(s) of grazing management actions it is interested in for each allotment.
- This board has provided such a letter to the Stillwater Field Office in previous years. This is an annual requirement.

There are a few grazing allotments in Churchill County that are administered by the Winnemucca District. Churchill County would like to remain on the mailing list for the following allotments:

1. Desert Queen.
2. Humboldt Sink.
3. South Rochester.
4. Hole in the Wall.
5. Blue Wing Seven Troughs.

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

Consider Future Agenda Items:

Commissioner Scharmann said, with regard to the Love Fallon event that Loni Faught talked about, do we want provide any kind of monetary support for that? Chair Getto said I think that is in the purview of whether they want to apply for that. Commissioner Heath said I don't think that is what they wanted. I think they just wanted support and to talk about it. It is more about volunteering. County Manager Barbee said I will direct Anne McMillin to connect with them on their social media and the county can then repost their social media content. The process to request funds is to request funds through the Community Support Grant, which we just went through and approved the \$3,500 to the Fallon Armed Forces Day event, which draws that down to about \$3,200 remaining for FY24.

Commissioner and Management Staff Reports:

Chairman Getto had nothing to report.

Commissioner Heath had nothing to report.

Commissioner Scharmann had nothing to report.

County Manager Barbee reported on the following topics:

- Working on the budget.

Comptroller Wideman had nothing to report.

Civil Deputy DA Sanford had nothing to report.

Clerk/Treasurer Rothery reported on the following topics:

- On March 22nd, I spoke to the Legislators about the election. This was a discussion during the Leg. Operations and Election meeting on tribal polling places. After that, I spoke to News 2 in regard to our voter registration top-down system. I was one of three Clerks that they spoke to. We had been sending letters to the Secretary of State letting them know that the timeline for our top-down system was too fast because we needed to validate everything, such as dual entry etc. That way, when we move into a new system, we can go right into as the validation process goes.
- Next Monday, I, along with the other elected Clerks, are meeting with the Governor and the Secretary of State at a luncheon, although we do not yet know what it is about.
- For our office, we mailed out just under 1,000 delinquent property tax bills.
- Our tax sale is moving along and will be conducted on April 18 and 19, 2024. We have been successful in getting most people on the list to pay and we are down to only 3 parcels now, which is land.

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. County Manager Barbee said, to address Letters Received G, I wanted to read into the record the following, in answer to Commissioner Scharmann's question: Lumen Technologies had a generator in place where they had a cracked valve, which resulted in 150-170 gallons of diesel fuel that was released, which exceeds the standards placed through the Nevada Administrative Code. This requires action where they must provide a summary report of the incident and an explanation of their efforts to mitigate the spill itself and a plan for action moving forward in monitoring any future incidents

that would occur through that. The Division of Environmental Protection provides those letters and Churchill County is copied as the governing body in the county. It is an NDEP action with that individual company and is run through that entity.

Adjournment:

The meeting was adjourned at 9:43 AM.

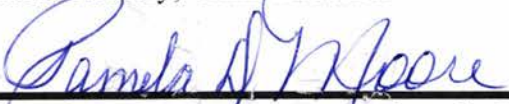
Approved: 
Myles Getto, Chairman

Approved: 
Harry "Bus" Scharmann, Vice-Chairman

Approved: 
Justin Heath, Commissioner

ATTEST:

Linda Rothery, Clerk/Treasurer


Pamela D. Moore, Deputy Clerk to the Board