

JULY 19, 2017

The meeting was called to order at 8:30 a.m. by Carol Shank, Chairwoman. Those present were Robert McDougal and Larry Rackley, Commissioners; Bryce Shields, District Attorney; Karen Wesner, Administrative Assistant; and Lacey Donaldson, Clerk.

APPROVAL OF MINUTES: Mr. McDougal made a motion to approve the June 7, 2017 regular meeting minutes with the correction of a typo on page 2. Motion seconded by Mr. Rackley and passed.

PUBLIC INPUT: There was no public comment.

REVIEW OF ALL AGENDA ITEMS TO DETERMINE IF ANY DO OR DO NOT IMPOSE A DIRECT AND SIGNIFICANT ECONOMIC BURDEN ON A BUSINESS OR DIRECTLY RESTRICT THE FORMATION, OPERATION, OR EXPANSION OF A BUSINESS: Mr. Rackley made a motion that no agenda items impose a direct and significant economic burden on a business or directly restrict the formation, operation, or expansion of a business. Motion seconded by Mr. McDougal and passed.

UNCLASSIFIED DEPARTMENTS:

ROAD DEPARTMENT – Dan Hill was present.

Mr. Hill reported that they are almost done chip sealing. He is looking into having someone else stripe Old Victory since the State is unable to do it, but the cost may be prohibitive. Limerick took a lot of wear and tear during the fire so they will be going up there and patching the road. Mr. Hill stated that the culvert at the Grass Valley Community Center has been fixed and they sprayed weeds.

LANDFILL AND RECYCLING – Dan Hill was present.

Mr. Hill reported that the dozer is back in service. He stated that he is still going back and forth with Hoss Disposal. Waste Management would like to come in and look at our recyclables.

Mr. Rackley stated that they shipped cardboard out on Thursday and another truck took paper products out on Friday. A third truck is scheduled for tomorrow or Friday.

BUILDINGS AND GROUNDS – John Handka was present.

Mr. Handka reported that last week they put the new sound system in at the Community Center. The Grass Valley Community Center doors should be delivered sometime this week. Mr. Handka stated that someone in Imlay has been turning the heating/ac off at the Imlay Community Center. He may have to re-key the building. The concrete pad for the gazebo has been poured. The material for the gazebo has been delivered, but he thinks he will wait until the start of fall to build it, due to timing issues and other projects.

Mr. Handka stated that he hasn't heard anything regarding the trailer at the Airport. Mrs. Donaldson stated that Mr. Mowry should be here later this morning with an update.

Mr. Handka also spoke about the alarm system that was installed by the District Court. He was not notified that it was being done or informed about what was installed. It was noted that the Board and Mr. Handka received a letter from Judge Shirley today. Mr. Handka had a plan for the entire building and would like to have a meeting with the Judge.

Mr. Handka also stated that he had been called regarding the cooling unit in the Senior Center kitchen. Mr. Handka stated that part of the issue has been the increased temperatures outside. They have discussed purchasing a wall mount unit, but Mr. Handka is not sure it would help.

Mrs. Shank stated that she was contacted by someone that wanted to do some more work on the house in Unionville. Mr. Handka stated that he tried to call her back, but didn't get a response.

Mr. McDougal asked Mr. Handka to inform Mr. McKinney that he would extend the lease another month.

PERSHING COUNTY FIRE/AMBULANCE –

AMBULANCE: Mr. Rackley stated that they had a meeting Monday afternoon with REMSA. REMSA is still inputting the reports and should be done by the end of the week.

IMLAY FIRE DEPARTMENT: Mr. Rackley stated that the tank for the donated truck ended up costing an additional 5,269.00. The final bill is for \$20,269.72. An item will be put on the next agenda for discussion and possible approval.

SAFETY / GRANT WRITER – Pam Munk was present.

Mrs. Munk stated that she has inputted all the information for the employees to have access to the e-learning safety training. She is just waiting for confirmation. Mrs. Munk stated that if she didn't have an employee's email address she used a dummy address. Those will have to be updated.

Mrs. Munk stated that she received a report that the Landfill equipment is failing. Mr. Rackley stated that they are working on getting it fixed.

Mrs. Munk stated that she went on the SAM (System for Award Management) website so that she can apply for Federal Grants, but she does not have access to the County's account. Mrs. Donaldson was out of the office last week, but will make sure that Mrs. Munk has access.

Mrs. Munk also stated that she would like to move out of the Library and into the Community Center.

PERSHING COUNTY EMERGENCY OPERATIONS MANAGER / LEPC – Mr. Rackley stated that a meeting was held and they discussed after incident reports, but he was not in attendance.

LIBRARY – Request for approval to advertise/hire to fill the vacant Library Technician I/II position: Mr. McDougal made a motion to approve the advertising and hiring to fill the vacant Library Technician I/II position. Motion seconded by Mr. Rackley and passed.

COOPERATIVE EXTENSION – Steve Foster was present.

Mr. Foster gave a report on some of the projects he has been working on. He has been working with the Department of Ag to find two test plots for the Russian Knapweed Study. He is also still working on the soybean test plots. Mr. Foster reported that he attended the Nevada Youth Range Camp at the Smith Creek Ranch in Austin. He was invited to give a Pesticide Presentation for Washoe County last month and he attended a soil health workshop last week.

Mr. Foster attended several meetings. He spoke about the 4-H activities. The local Livestock Show was held in May, followed by the Nevada Junior Livestock Show in Reno. 4-H Camp is going on right now and they are also preparing for the barbeque at Frontier Days.

Request for approval to advertise/hire the 4-H Youth Development Community Based Instructor position and discuss the possibility of combining the 4-H position and the Community Center Director position: Mrs. Shank recused herself from the discussion as she may have a conflict of interest. Mr. Foster had a couple suggestions for recruiting a person as it has been hard to find someone willing to work part-time. Mr. Foster stated that with Mrs. Lusby-Angvick moving out of the Center it has put some strain on Mrs. McKay. One option would be to hire someone who would be part-time 4-H and part-time Community Center. Another option would be to wait to see if the State decides to increase the position to full-time. Mr. Foster stated that the County could also decide to fully fund the position, and then they would have more control over it.

Mr. Rackley asked Mrs. Childs how much we currently budget for the position. Mrs. Childs stated that we budgeted \$13,020 and it is paid through a voucher, not payroll.

PUBLIC DEFENDER – Request of Public Defender to return the department vehicle and to be reclassified as a non-safety sensitive position on the basis that driving is not essential to the performance of duties of the Public Defender job: Mrs. Shank stated that Mr. Cochran is not present and she would like to hold off on this until the next meeting.

Later in the morning, Mrs. Shank came back to this item. Mr. Shields stated that originally the Public Defender did not do much driving. When the County entered into the Conflict Counsel Agreement with Humboldt County Mr. Cochran was then required to drive to Winnemucca several times a week. We no longer have that agreement with Humboldt County, so driving isn't essential to the position.

Mr. Rackley made a motion to approve re-classifying the Public Defender as a non-safety sensitive position and removing the County vehicle from the department. Motion seconded by Mr. McDougal and passed. The vehicle is to be turned over to the Road Department.

ELECTED DEPARTMENTS:

LACEY DONALDSON, CLERK-TREASURER – Mrs. Donaldson reported that the tax file was sent to the printer last Monday, the bills were in the mail by Wednesday and we have already started collecting payments. Mrs. Donaldson will attend two days of meetings with DevNet next week in Fallon regarding implementation of the new property tax software.

RENE CHILDS, RECORDER-AUDITOR – *Approval of contract with Tyler Technology for Recorder and Financials:* The contract has been reviewed by the District Attorney and Mr. Shields did not have any concerns. Mrs. Childs also stated that she will be verifying that this includes the Treasurer's side of the financials.

Mr. McDougal made a motion to approve the contract with Tyler Technology for the Recorder and Financial software. Motion seconded by Mr. Rackley and passed.

Mrs. Childs stated that she has some revisions to the augmentations that were approved. Taxation changed some wording requirements, but the financial amounts will not change.

LAURI CERINI-JONES, ASSESSOR – Mrs. Cerini-Jones reported that she will also be attending the meetings with DevNet. Her office closed the 2017-2018 roll, so the Treasurer's office could bill the new tax year.

Acceptance of Log of Changes made to the Secured Roll pursuant to NAC 361.310: Mr. Rackley made a motion to accept the Log of Changes made to the Secured Roll pursuant to NAC 361.310 as submitted by the Assessor. Motion seconded by Mr. McDougal and passed.

BRYCE SHIELDS, DISTRICT ATTORNEY – Mr. Shields stated that he did not have anything to report. They did hold interviews for the Code Enforcement Officer position.

RECOMMENDATION AND SELECTION OF CODE ENFORCEMENT OFFICER: The recommendation from the committee is to offer the position to Fran Machado.

Mr. McDougal made a motion to accept the recommendation and select Fran Machado as the Code Enforcement Officer. Motion seconded by Mr. Rackley and passed.

Mr. Shields stated that Mrs. Machado may be able to start as soon as Monday.

UPDATE ON PROGRESS OF SITE LOCATION, DESIGN, FUNDING, AMENITIES, AND CONSTRUCTION OF POTENTIAL NEW LAW ENFORCEMENT CENTER: Mr. Rackley showed the Board some plans for the current location. Mrs. Donaldson will call the County's Bond Council to see if they will come to the next meeting.

PROCLAMATIONS AND AWARDS: There were no Proclamations or Awards discussed.

BOARD APPOINTMENTS: VOLUNTEER ADVISORY BOARD – A letter was submitted by Barbara Rackley asking to be appointed.

Mr. McDougal made a motion to appoint Barbara Rackley to the Volunteer Advisory Board with a term expiring June 5, 2019. Motion seconded by Mr. Rackley and passed.

COUNTY BOARD OF EQUALIZATION – An email was received from Tracy Guinn asking to be reappointed.

Mr. McDougal made a motion to reappoint Tracy Guinn to the County Board of Equalization with a term expiring June 30, 2021. Motion seconded by Mr. Rackley and passed.

WILDLIFE ADVISORY BOARD – A letter was received from Randy Scilacci asking to be reappointed. It was noted that Mr. Scilacci's term does not expire until next year.

GRASS VALLEY ADVISORY BOARD: There was no one present from the Grass Valley Advisory Board.

CORRESPONDENCE: A letter was received from Tyler Hecht, Nevada Type 3 Incident Commander, thanking the County for all its help during the Limerick Fire. A letter was received from Donna J. Porter in regards to the outstanding service she received from the Senior Center.

RESOLUTION FOR DESIGNATION OF A LOCATION FOR REAL PROPERTY AUCTIONS CONDUCTED PURSUANT TO NRS 107.080: Mr. Shields would like to tailor the Resolution to be in line with the County's format.

FIRST READING OF AN AMENDMENT TO CHAPTER 2.56 OF THE PERSHING COUNTY CODE ENTITLED RECREATION BOARD, PERTAINING TO THE BOARD'S RESPONSIBILITIES, POWERS, AND JURISDICTION AS AN ADVISORY BOARD: Mr. Shields would like to do some more research in regards to the Recreation Board. Mr. McDougal would also like an item on the next agenda to discuss the turf proposal for McDougal Field.

REPORT FROM LEGAL COUNSEL: Mr. Shields reported that last week he submitted comments on behalf of the County regarding the EA (Environmental Assessment) for the west side of the wild horse and burrow removal in regards to our lawsuit against the Department of the Interior. BLM has asked for a two month extension.

REPORT FROM ADMINISTRATIVE ASSISTANT: Mrs. Wesner did not have anything to report. She did state that she is having problems with her computer.

2017 LEGISLATIVE MATTERS: UPDATE, REVIEW, AND DISCUSSION CONCERNING THE POTENTIAL IMPACT OF ANY BILLS, ANY PROPOSED AMENDMENT THERETO, THE DETERMINATION OF ANY POSITION ON THE BILLS AND DIRECTION TO STAFF OR REPRESENTATIVE ON BEHALF OF THE COUNTY REGARDING THE BILLS – Mr. Shields gave an overview of some of the Legislation that may affect the County. Mr. Shields stated that AB13 requires a public employer to provide a private place for a mother to express milk or breastfeed. He gave them a list of some other bills for their information. He also spoke about the Indigent Defense Commission. A Bill did pass forming the Commission. Between Legislative Sessions, they will be studying the way Indigent Defense Services are provided in rural counties and then will make recommendations to the Legislature. Mr. Shields also spoke about a bill regarding Public Administrators. Starting July 1, 2018 the Public Administrator is entitled to compensation. It was noted that the Pershing County Public Administrator is already compensated.

Mr. Shields also suggested holding a workshop in regards to the marijuana dispensary regulations. The Board decided to hold a workshop on August 9th at 5:30 p.m. and invite the Planning Commission to participate.

UPDATE ON THE PERSHING COUNTY ECONOMIC DEVELOPMENT AND CONSERVATION ACT: The Board did not have any updates.

ITEMS FOR FUTURE AGENDAS: Mr. Rackley stated that they need to approve the increased cost for the water tank replacement for Rye Patch.

STEVE COCHRAN, PUBLIC DEFENDER: Steve Cochran was present, but had nothing to report. It was noted that his request to be reclassified as non-safety sensitive was approved and he is to turn the vehicle into the Road Department. Mrs. Shank stated that she requested the Annual Report and all she received was the total number of cases. She gave Mr. Cochran an outline of what is required to be reported in the Annual Report. Mr. Cochran will check with Ms. Martinez.

Mr. Cochran spoke about his complaint at the June 21st meeting regarding random drug testing. He stated that the School District did away with their random testing in August 2016 based on a recommendation from POOL/PACT.

At the end of the meeting Mrs. Shank addressed the information given the Board regarding the School District. After review it was found that Mr. Cochran's statements were incorrect. The School District revised their policies and added the safety sensitive classification. It was noted that their policy essentially mirrors the County's policy.

At 10:25 a.m. the meeting recessed to meet in a closed labor session. The meeting reconvened at 11:01 a.m.

NEVADA DIVISION OF WATER RESOURCES: PRESENTATION ON PROPOSED REGULATIONS FOR HUMBOLDT RIVER, NEW ASSESSMENTS FOR GROUNDWATER USERS; POTENTIAL FOR SIGNIFICANT ECONOMIC BURDEN TO SMALL BUSINESSES; SOLICIT COMMENTS FROM SMALL BUSINESSES – Rick Felling, Deputy Administrator for the Division of Water Resources, and Eddy Quaglieri, Chief Engineer, were present.

Mr. Felling gave a presentation on conjunctive management and mitigation program for the Humboldt River. They are in the beginning stages and are assessing whether these regulations would have an impact on small businesses.

Mr. Felling stated that the Humboldt River adjudication was finalized in the 1930s. The Decree authorized 285,000 acres irrigated and the rights to 700,000 acre feet. Groundwater development began in the 1950s. Current groundwater appropriations total 750,000 acre feet. Existing studies show that Groundwater pumping depletes river flow. All Decree rights are senior to Groundwater rights. All Western states are dealing with the same issues. Pershing County Water Conservation District (PCWCD) filed a writ petition arguing that Groundwater pumping is depleting the Humboldt River and conflicting with their senior rights. They hold 140,000 acre feet Decree rights on 40,000 acres. PCWCD received little to no water from 2013-2015. PCWCD's writ asked that the Court force the Division of Water Resources to do their job by curtailing over appropriated basins. The Nevada Division of Water Resources is developing regulations. They will determine if those regulations will impose an economic burden on small business, and, if so, will prepare a small business impact statement. They will then hold public workshops and hearings.

BLM: UPDATE ON MATTERS RELATING TO PERSHING COUNTY AND THE UNIONVILLE CEMETERY – No one was present on behalf of the BLM. Mrs. Shank did meet with Mathew Kubiak and Peggy McGurkian. We are getting closer to having the appraisal done. They are currently working on the Environmental Assessment and will be contacting local residents.

Paul Davidson asked what the total acreage for the appraisal is and if it includes the Landfill Transfer Station. Mrs. Shank stated that didn't know anything about the Transfer Station. The plot of

land for the Cemetery is 10 acres. The entire 10 acres will be appraised, but we will only have to pay for the additional land, minus the existing Cemetery.

MATTERS OF THE BOARD FOR DISCUSSION, BOARD MEMBER REPORTS, BOARD LIAISON REPORTS: Mr. Rackley gave the Board some information regarding the TV equipment on Toulon Peak and the channels we could lose. The TV Board had a joint meeting last week with Elko, Winnemucca, and Lovelock to discuss the different option they could take. Mr. Rackley would also like an item on the next agenda to approve the purchase of security equipment.

Mrs. Shank asked for volunteers to serve on the 911 Surcharge Committee. She did not receive any response.

Mr. McDougal spoke about the Pershing County Economic Development Authority/ Community Center Board. They had a meeting last week. The new audio visual system has been installed.

Mrs. Shank stated that there is a Cemetery Board meeting tonight. She also stated that the Pershing Healthcare Foundation will be hosting their 2nd Annual Fundraiser Dinner on August 12th.

PUBLIC INPUT: Kent Mowry from A & H Insurance gave an update regarding the mobile home at Derby Field. He still has not heard from ASC (Alternative Service Concepts) regarding the claim. ASC hired VeriClaim to manage the claim and the adjuster is Ted Rudolph. Mrs. Shank asked if our insurance offers any compensation for the individuals who were displaced. Mr. Mowry stated that they will cover moving expenses.

Carl Clinger spoke about the Nevada Division of Water Resources presentation. Mr. Clinger stated that they are not addressing all the issues at hand, including the over-pumped basins.

VOUCHERS: Mr. McDougal made a motion to approve the vouchers as submitted. Motion seconded by Mr. Rackley and passed.

PUBLIC INPUT: Paul Davidson asked about next Humboldt Water meeting

As there was nothing further to come before the Board, the meeting adjourned at 12:16 p.m.

Approved 9/06/17: _____ /s/
Carol Shank, Chairwoman

Attest: _____ /s/
Lacey Donaldson, Clerk