

SEPTEMBER 20, 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; Jack Bullock, Deputy District Attorney; Karen Wesner, Administrative Assistant; and Rachel Craspay, Deputy Clerk.

APPROVAL OF MINUTES: There were no minutes submitted for approval.

PUBLIC INPUT: There was no public comment at this time.

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. McDougal made a motion that Item 13, the continuation of the moratorium on marijuana establishments, could 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. Rackley and passed.

UNCLASSIFIED DEPARTMENTS:

ROAD DEPARTMENT – Dan Hill was present.

Request to raise speed limit to 65 mph on Lower Valley Frontage Road starting at a distance past Westfall Road to Toulon. Mr. Hill stated that he was informed that the first thing that needed to be done was a study. Mr. Hill is looking into see if there was a study previously done. The road department has launched a couple of major projects. They are up in Unionville and have hauled a bunch of dirt up to fix the road and culverts. They will hopefully be fixing the culverts in Jersey Valley today. They are finishing up the road to Coeur, have patched Westfall Road, and bladed the road up to Ragged Top.

LANDFILL – Dan Hill was present.

Ron Drake, a longtime, 14 year, employee, retired which is a great loss to the County. Mr. Nielsen will be attending the SWANA conference in Baltimore, Maryland next weekend. The travel will be put on the next agenda for approval. Mr. Hill has the Landfill covered for Friday, Saturday and Sunday.

Approval to hire/advertise Landfill Operator position at Landfill: Mr. McDougal made a motion to approve to advertise/hire Landfill Operator position at Landfill, seconded by Mr. Rackley and passed.

Request from Ronnie Drake for Pershing County to pay for damage to personal vehicle while parked at the landfill in the amount of \$2,295.55: A dust devil came through the Landfill and picked up an empty 55 gallon drum, which hit the vehicle and caused damage. The County's insurance adjustor said that the damage was caused by an act of God and wouldn't be covered under the County's insurance.

Mr. Rackley made a motion that we do not approve payment for damage to Mr. Drake's personal vehicle while parked at the Landfill in the amount of \$2,295.55. Mr. McDougal seconded the motion and it passed.

Discussion regarding Landfill budget: The dozer needs about \$50,000 in repairs. Mrs. Childs stated that the Landfill is a proprietary fund and we would be able to do an augmentation to the prior year budget if it doesn't cause a deficit in the fund. If the piece of equipment, when repaired, would be in like new condition the expense would only affect the cash flow in the capital outlay. If not, it would be an equipment repair expense and would affect the ending fund balance. Mr. Rackley stated that the dozer would not be in a like new condition when repaired.

Mrs. Childs stated that there is room in the budget, but there can't be any more capital outlay expenses and the rope has to be tightened now, because there are still 9 months to go. Mr. Hill stated that they already have a significant expense coming up because the loader also needs to be repaired, at approximately \$10,000.00. Mrs. Shank asked Mr. Hill if there is any equipment at the Road Department that could be used at the Landfill. Mr. Hill said there is, but not on a permanent basis. Mrs. Shank stated that there just isn't any money for these extra expenses. Mr. Rackley stated that they will be trying to sell more of the scrap metal to hopefully offset the expenses. Mrs. Childs will ask our auditors if there is a way to pay for expenses out of another fund, because they work with these proprietary funds more often than we do.

BUILDINGS AND GROUNDS: John Handka was present.

They finished the doors at the Grass Valley Community Center and checked the roof as well. He'll be tightening some of the screws on the metal roof and doing some minor repairs when they go back up. They went to Unionville to look at a location for the shed pad. They are looking to find someone who can do the door replacements downstairs in the Courthouse, but it is proving difficult because they aren't all a uniform size and have wood frames. The pool has been covered and winterized; they just need to board up the doors. Wireless internet has been installed in the Courthouse. There is about 4,800 gallons of fuel and the airport; they went through the fuel faster than the previous year.

Request to proceed with repair of the roof at the Administrative Building: The project has already been out to bid and the amount was approved, but the work wasn't done. Alpine roofing is the company who was previously chosen, they resubmitted their bid in September and the amount was the same.

Mr. McDougal made a motion to proceed with the repair of the roof at the Administrative Building. Motion seconded by Mr. Rackley and passed.

Approval of purchase of mobile home for Derby Field Airport to include moving and set up of mobile home and removal of single wide ranging between \$23,500 to \$25,000. The mobile home that Mr. Rackley has been looking at is a 2 bedroom, 2 bath, with propane appliances. The mobile home would cost \$20,000. Dan Knisley will assist with the removal of the mobile home that is currently at the Airport and the relocation of this mobile home to the Airport. Mr. Rackley told Mr. Knisley that the County would look at waiving the Landfill fee for the disposal of mobile homes that Mr. Knisley may need to dispose of in the future in exchange for his assistance with moving this mobile home. Mr. Rackley stated that the cost to put the home back together would be \$7,000-\$8,000 and Mr. Knisley's employees do not do this part. There is also a permit that must be acquired from the State for the house inspection at a cost of approximately \$1,000. These costs need to be added to a future agenda to approve.

Mr. Rackley made a motion to approve the purchase of a doublewide mobile home from Wade Knisley for \$20,000. Motion seconded by Mr. McDougal and passed.

There was some discussion of the remodel that the Judge is doing. Mr. McDougal had the understanding that the flooring and paint would be consistent throughout the main areas and the each office could be different. Mr. Handka stated that the Judge is doing something different than what was approved. Mr. McDougal stated that he believed that the Clerk's office would need to follow the approved scheme, or the Judge would need to come and ask if something else could be done. He stated that the County is the landlord of the building and they, the 11th Judicial, are the tenants. The landlord would provide the basics, like paint and flooring and the furnishings would be up to the tenants. The Commissioners will ask the Judge or a representative to come to the next meeting to discuss.

PERSHING COUNTY AMBULANCE – Nathan Carmichael was present.

An EMT class will be scheduled in November. The City has agreed to donate a Crown Victoria to the department in order to transport mentally ill patients, which will free up the

ambulance and would take some of the burden off of the Sheriff's Office. Mr. McDougal asked if we would be able to bill, like we do with ambulance, for the mental health transfers. Sean Burke stated that you can bill, but it's harder to get paid. Regardless, it will save money to use a vehicle other than the ambulance. Mr. Carmichael would also like to get a new vehicle for the Chief and would turn the current Chief's vehicle into a quick response vehicle, which would be assigned to a specific person for a week at a time. They are up to 20 members and they do have two new applications in, so membership is good.

PERSHING COUNTY FIRE DEPARTMENT – Nathan Carmichael was present.

The department needs fireworks permits for Homecoming and the Lovelock celebration on September 30th. Mr. McDougal stated that at the last Recreation Board meeting the folks who run the race track suggested that the race track would be a great alternate location to have a fireworks display. The department is working on getting more people to get the F Endorsement on their license so they'll have more people who can drive the fire trucks. Fires have slowed down with the exception of a few small fires on the highway, but nothing major.

GRASS VALLEY FIRE DEPARTMENT – Sean Burke was present.

The firehouse extension project is almost finished. Michael Clay Construction has done a fabulous job. They did have a couple of change orders, one to upgrade the compressed air system for the trucks air brakes, to bring it up to code and one to install the compressor correctly. Mr. Evans stated that the PVC wasn't up to code for the compressed air so they are updating the pipe. They also need to take the compressor off of the pallet that it came on and put it on an actual base. Mrs. Shank asked if they had the funds to pay for these change orders and Mrs. Childs said she believes so. They can't approve the change orders until the item is properly agendized. Mr. Burke would also like to thank the Road Department for their help with the project. GVFD has an old fire truck and the Yomba Tribal Council, a reservation that is partially in Lander and partially in Humboldt County, has approached him to see if the department could possibly donate the truck to them. Mr. Rackley asked if that truck is something that the Rye Patch Fire Department could use. Mr. Burke stated that the engine is fine but the drive shaft of the fire pump needs to be repaired. He said that he doesn't believe the truck could pass the ISO rating. Mr. Rackley stated that he would rather the truck stay in the County. Mrs. Shank stated that if they were to donate the truck it would have to go on the agenda. Mr. Burke would like to have all the departments get together with the Commissioners to discuss the training requirements. Mrs. Shank requested that when they have their Chief's meeting they discuss training and come to the Board with a recommendation.

IMLAY FIRE DEPARTMENT – *Request for designation of appraiser to appraise real property designated APN 006-113-02 and legally described as Lot 2, Block F, Noble Subdivision, Town of Imlay, in preparation of possible purchase by the County for use by the Imlay Volunteer Fire Department:* There is a small parcel right next to the fire department that they would like to purchase. The department is already using the lot for parking, its level and ready.

Mr. Rackley made a motion to allow Karen Wesner to obtain an appraiser to do the appraisal of the real property designated as APN 006-113-02 and legally described as Lot 2, Block F, Noble Subdivision, Town of Imlay, in preparation of possible purchase by the County for use by the Imlay Volunteer Fire Dept. Seconded by Mr. McDougal and passed.

SAFETY/GRANT WRITER – Pam Munk was present.

Mrs. Munk stated that we are eligible for grant funding from the Assistance to Firefighter Grant Program. She would like to get together with the chiefs and come up with items for which they would like to submit for possible funding. They need to submit three proposals for projects and there is only a 5% match. Mrs. Munk stated that the application will be a lot of work and she will pull in a couple of people to help with the application. Mrs. Munk called and talked to

Cheryl Couch with the USDA to see about getting grant funds for the playground, and she said they would probably be able to get \$10,000.00. They also talked about getting a loan for the Law Enforcement Center. The current interest rate is 3.22% and she suggested that the County get their loan application in soon as interest rates are predicted to rise. Mrs. Munk is applying again with KaBOOM for another grant as we didn't get the first one. This grant would be for \$5,000-\$10,000 for playground equipment. She will get the information together and will put the grant application on the next agenda to be approved. There is a Department of Transportation for Rural Counties grant. The minimum grant amount is \$1,000,000. Mrs. Munk will get together with Dan Hill to prioritize the County's needs in order to apply for the grant. For Safety, the CPR class is tomorrow. Mrs. Munk is still working on the e-learning. The volunteer classes have still not been done due to scheduling issues.

PUBLIC DEFENDER – Steve Cochran was present.

Mr. Cochran just filed a post-conviction writ of habeas corpus with the Nevada Supreme Court. The process has taken a significant amount of time, probably 100-200 hours, and would have cost the County an enormous amount of money had there not been a Public Defender on staff. Mrs. Shank asked what the result was and Mr. Cochran said they are still waiting for the Attorney General's response. Mrs. Shank asked how many and what types of cases were currently being worked on. Mr. Cochran stated that if the Board would like a report of that he could bring it to the Board each meeting, but he doesn't have that information available now. They are keeping a running total of cases in order for more ease in presenting the annual report, so that information is readily available. Mr. Cochran is requesting a space to store clothes that he acquires for clients to wear in court. Laureen Cerini-Jones stated that Mr. Cochran could store the clothing in the Assessor's storage space in the Admin Building. He also stated that they need to develop a policy for paying for translators for defendants. There are several ongoing cases from the Burning Man event that have non-English speaking defendants. The Commissioners asked Mr. Cochran to keep track of how much time is being spent on Burning Man cases. Mr. Bullock stated that Burning Man only reimburses for Category A, non-drug offenses.

ELECTED DEPARTMENTS:

LACEY DONALDSON, CLERK-TREASURER – Rachel Craspay was present.

Mr. Rackley had concerns about the legality of having the Rye Patch Truck stop open when the County holds the deed. The truck stop is currently open and operating. Mr. Rackley doesn't think the property should be open for business when the County is holding the deed for unpaid taxes. Carolyn Hultgren stated that there has been some vandalism to the mobile homes across the street and is concerned and would like the Humboldt River Ranch Association to be kept in the loop about the property. Mr. Bullock stated that the Code Enforcement officer is in Las Vegas for training, but that when she returns she will make sure the mobile homes across the street are up to code before they are inhabited.

RENE CHILDS, RECORDER-AUDITOR – Rene Childs was present.

Approval of Pershing County Recording Fee increase effective October 1, 2017: The total fee will be \$38, no matter how many pages are being recorded.

Mr. Rackley made a motion to acknowledge the change in recording fees effective October 1, 2017. Motion seconded by Mr. McDougal and passed.

Mrs. Childs reported to the Board that she is having major issues with several departments when spending grant funds and Mrs. Childs has to clean up the mess. Mr. McDougal stated that he thinks the Grant Writer should be keeping track of all grants, with the assistance of Mrs. Childs. Mrs. Childs has to provide all of the grant information to the auditors.

Mr. McDougal thinks that the Grant Writer should be the only person who applies for grants and should also do all the administration after the funds are received.

Approval to re-prioritize Pershing County Capital Improvement Project "Wish List" not to exceed the budgeted amount for FY 2017-2018: There was discussion about the Capital Improvement List and Mrs. Childs and the Commissioners re-prioritized the list to make it work for this year. The phone system replacement was moved to next year, the floor replacement in the Admin Building and the Courthouse was increased to \$50,000, the parking lot resurfacing was reduced to \$50,000, the Admin Building roof replacement was reduced to reflect the current quote, and they added moving and set up of the mobile home at the Airport for \$10,000. They are also adding Courthouse door replacements to the next fiscal year with a "to be determined" amount.

Mr. McDougal made a motion to approve the revised Pershing County Capital Improvement "Wish List". Motion seconded by Mr. Rackley and passed.

BRYCE SHIELDS, DISTRICT ATTORNEY – Jack Bullock was present.

Request for approval for spouse to travel in County vehicle with District Attorney to attend meeting in Las Vegas, NV: Mr. Bullock asked that Mr. Shields' wife be allowed to ride in the County vehicle to Las Vegas, not as a driver just as a passenger.

Mr. Rackley made a motion, seconded by Mr. McDougal and passed, to allow Mr. Shield's wife to travel with him in the County vehicle to Las Vegas.

The Code Enforcement officer is in Las Vegas for training.

LAURI CERINI-JONES, ASSESSOR – Lauri Cerini-Jones was present.

The door to the DMV broke during a wind storm a few weeks ago. A customer, who was stronger than the employee who was working, held the door and was injured when it blew off the hinges. The door is still not functioning. The Appraiser is taking the general exam for her Appraiser's License tomorrow. She will take her personal vehicle because the County Assessor vehicle is having issues and Ms. Cerini-Jones doesn't want her to worry about the vehicle breaking down and adding that stress on her way to the exam.

JERRY ALLEN, SHERIFF – Jerry Allen was present.

Mrs. Shank asked if they had filled their open positions. Sheriff Allen stated that they had not.

Update on 2017 Burning Man Event: Sheriff Allen did not have an update as of this time; he's still working on the paperwork for the post event report.

Donation of 2015 PJ Trailer for Sheriff's Office side by side and other equipment: Nathan Carmichael inherited the trailer when his father passed away and would like to donate it to the department. They actually used the trailer at this year's Burning Man Event and were able to fit a side by side and a bunch of other equipment on it. The trailer is heavy duty enough to support a 1 ton pickup, so they could use it to transport a vehicle in the event of an emergency or breakdown. The approximate value of the trailer is \$3,500.00.

Mr. McDougal made a motion to accept the donation of the 2015 PJ Trailer to the Sheriff's Department from Nathan Carmichael. Motion seconded by Mr. Rackley and passed.

Sheriff Allen stated that they had a vehicle crash last week and they are still waiting for the report from NHP. They were at the Shooting Range for training and someone thought they had enough room to back up, but they hit a personal vehicle. That personal vehicle will need two doors replaced; there is no damage to the department vehicle.

Mr. McDougal asked what the population was on the playa right now. Sheriff Allen stated that there are approximately 800-1,200 people still on the playa.

UPDATE ON PROGRESS OF SITE LOCATION, DESIGN, FUNDING, AMENITIES AND CONSTRUCTION OF POTENTIAL NEW LAW ENFORCEMENT CENTER: Mr. Rackley met with the Sheriff, Undersheriff, Sergeants and Dispatch people last week. They brainstormed and came up with some good suggestions on the design that they will try to incorporate into the plans. Mrs. Shank asked if Kendra with the Bond Counsel could be scheduled to attend the next meeting to discuss funding.

GRASS VALLEY ADVISORY BOARD: Sean Burke was present.

The doors have been installed at the Community Center. They look great and are much more functional. They're have a meeting on Monday and are going to discuss topics for guest speakers and a schedule for next year for events to breathe some more life into the community. There is significant interest in the transfer station. They are still soliciting for new members.

PUBLIC HEARING ON PROPOSED ORDINANCE NO. 330, RECREATION BOARD, AMENDING TITLE TWO, CHAPTER 2.56 OF THE PERSHING COUNTY CODE BY CLARIFYING THE BOARD'S DUTIES, POWERS AND JURISDICTION: Mr. McDougal asked that this be placed on the agenda so that they understood exactly what the Recreation Board's responsibilities, duties and limitations are. The biggest thing is that the Recreation Board was approving big capital projects without coming to the Commissioners. The Recreation Board is supposed to be an Advisory Board to the Commissioners.

Mr. McDougal made a motion to adopt Ordinance No. 330, Recreation Board, amending Title Two, Chapter 2.56 of the Pershing County Code by clarifying the Board's duties, powers and jurisdiction. Motion seconded by Mr. Rackley and passed unanimously.

ASSESSMENT OF THE NUMBER OF ENTRY AND INTERIOR DOORS IN THE COURTHOUSE THAT COULD UTILIZE THE NEW KEY SYSTEM, WHICH IS BEING INSTALLED FOR THE 11TH JUDICIAL DISTRICT COURT GRANT AND COUNTY SHARED COST AT APPROXIMATELY \$800.00 PER DOOR: Mr. Banks stated that there are 9 doors that will need to have the key system installed, the downstairs front main entryway, the outside door to the Public Defender's office, the secondary entrance that goes into the Public Defender's office from inside the building, the boiler room door, the primary employee entry door, and 4 doors for the District Attorney's office, with a cost of approximately \$7,200. Mrs. Shank asked if this cost would be entirely shouldered by the County or if the grant the 11th Judicial has for the upgrade would help with these costs. Mr. Banks stated that was his understanding. Mrs. Shank asked about the main doors upstairs at the Courthouse. Mr. Banks stated that those doors would remain as is. Mr. McDougal has concern about changing the key system, but not the doors, or at least changing out the glass to more impact resistant glass. He stated that updating the key system, but keeping the doors with glass windows would just be a waste. Mrs. Shank stated that Mr. Handka is looking at other systems that could be more cost effective.

RESOLUTION TO EXTEND THE MORATORIUM ON MARIJUANA ESTABLISHMENTS FOR SIXTY DAYS PURSUANT TO PERSHING COUNTY ORDINANCE #326: Mr. McDougal asked if they have anything else to discuss during the moratorium, i.e. Planning Commission, etc., or if they, as the County Commissioners are just needing to make the decision whether to allow Marijuana establishments. Mrs. Shank stated that they just needed to make the decision.

Mr. Rackley made a motion to extend the moratorium on Marijuana establishments for sixty days pursuant to Pershing County Ordinance #326, by adopting Resolution #17-0917. Motion seconded by Mr. McDougal and passed unanimously.

CEMETERY BOARD: REQUEST TO ADVERTISE/HIRE A PART-TIME MAINTENANCE WORKER I TO WORK FROM APRIL 1 TO OCTOBER 1 FOR 8 TO 16 HOURS PER WEEK AS NEEDED TO MAINTAIN COUNTY CEMETERY GROUNDS – Mrs. Shank stated that the Cemetery Board has made this request to assist the Building and Grounds Department with the upkeep of the cemeteries. She stated that the money could come from the budgeted amount for the NDOT crew and from leftover funds from Mrs. Lyon's clerk salary. Mr. McDougal asked that, being an advisory board, do they have hiring authority. Mrs. Shank stated that in the Ordinance they are allowed to do so. Mr. McDougal disagrees with this idea and feels that this should be under Buildings and Grounds. No action was taken.

SALARY RESOLUTION: D. HILL, ROAD DEPARTMENT – Mr. Rackley stated that when Mr. Hill was hired in January it was stated that in 6 months they would review his job performance. Mrs. Childs stated that the only increase that was budgeted for was the 4% (2.5% merit and 1.5% salary increase) increase that was awarded in July with all the other Unclassified Department Heads. There was a review done in conjunction with that. No further action was taken.

PROCLAMATIONS AND AWARDS: Mrs. Shank read a proclamation to honor Irva Marcucci on her 100th birthday and declaring September 22, 2017 Irva Marcucci Day.

Mr. McDougal made a motion to accept the Proclamation as read. Motion seconded by Mr. Rackley and passed.

REPORT FROM ADMINISTRATIVE ASSISTANT: REQUEST TO APPROVE OUT OF STATE TRAVEL FOR COMMISSIONER RACKLEY TO ATTEND RECYCLE FACILITY IN UTAH SEPTEMBER 13-16, 2017 – Mr. McDougal made a motion to retroactively approve the out of state travel for Commissioner Rackley to attend a recycle facility in Utah. Motion seconded by Mrs. Shank and passed. Mr. Rackley abstained.

APPROVAL OF IT TECHNICIAN JOB DESCRIPTION – Mrs. Wesner has updated the job description with help from John Bates of POOL/PACT and it will be advertised for two weeks.

Mr. McDougal made a motion to approve the IT Technician Job Description. Motion seconded by Mr. Rackley and passed.

UPDATE ON THE PERSHING COUNTY ECONOMIC DEVELOPMENT AND CONSERVATION ACT: Mr. McDougal stated that Debbie Struhsacker from Pershing Gold and Pat Irwin, former County Commissioner, met with Senator Cortez-Masto at an economic forum in Reno and talked to her about including her name as a co-sponsor of the Bill and it appears that she is waiting for the correct timing and then will do so. Allen Freemyer, the lobbyist for Pershing Gold and Coeur Rochester, thinks that timing will come soon, when the bill is brought to Senate Committee for consideration. Within the next month the Bill is expected to be put in a non-controversial package of bills that are done once a week in the House and should be passed by voice vote and will then move on to the Senate.

ITEMS FOR FUTURE AGENDAS: An agenda item to approve the set-up fee for the mobile home at the Airport is needed. A Jail Inspection will be scheduled for October 4th. The

Commissioners would like a Department Head meeting in the afternoon of the 4th as well. Steve Foster would like a letter of support in regards to the Wild Horses. Senator Cortez-Masto would like a letter regarding PILT and how important it is, and what it means to the County. They will also add an agenda item to discuss the outcome of the Water Resource Plan meeting on October 3rd.

MATTERS OF THE BOARD FOR DISCUSSION; BOARD MEMBER REPORTS; BOARD LIAISON REPORTS: Mr. Rackley went to Interwest Paper in Salt Lake City, Utah and toured their new recycling facility. Interwest Paper is the company who picks up our recycling. Mr. Rackley stated that the TV Board approved to lock the building and get cameras. Mr. McDougal and Mr. Evans will attend a water resource plan meeting at Farr West Engineering on October 3rd.

PUBLIC INPUT: Paul Davidson will be unable to attend the Humboldt River Water Authority meeting and needs an alternate to attend.

VOUCHERS: Mr. McDougal made a motion to approve the vouchers as submitted. Motion seconded by Mr. Rackley and passed. Mrs. Shank abstained from voting on a voucher for Vendor #2400 because the payee is her son-in-law.

As there was nothing further to come before the Board, the meeting adjourned at 11:47 a.m.

Approved 10/18/17: _____ /s/
Carol Shank, Chairwoman

Attest: _____ /s/
Lacey Donaldson, Clerk