

## DECEMBER 21, 2016

The meeting was called to order at 8:30 a.m. by Darin Bloyed, Chairman. Those present were Pat Irwin and Carol Shank, Commissioners; Bryce Shields, District Attorney; Karen Wesner, Administrative Assistant; and Rachel Craspay, Deputy Clerk.

**APPROVAL OF MINUTES:** Mrs. Shank made a motion to approve the minutes of the Special Meeting of November 10<sup>th</sup> and the Regular Meeting of November 14<sup>th</sup>, seconded by Mr. Irwin and passed.

**PUBLIC INPUT:** Carolyn Hultgren, on behalf of the Hospital Board expressed appreciation to Mr. Irwin for his representation on the Hospital Board.

**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:** Mrs. Shank stated that she believes there could be a possible burden as a result of item 13B, which is a Public Hearing for proposing the division of APN# 007-031-21 for Robert Kennerson. Mrs. Shank made a motion that, with the exception noted, 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. Irwin and passed.

### UNCLASSIFIED DEPARTMENTS:

**ROAD DEPARTMENT** – Brian Greene and Dan Hill were present.

Mr. Greene reported they have all the blades going with two in Buffalo Valley. There was a washout on Buffalo Ranch Road that they are repairing. They are going to Smelters and will then work their way back to Jersey Valley. Two blades are working their way back from Limbo back toward the Blue Wings and C-Punch Ranch. They have one in Grass Valley working on the subdivision and one out towards Jungo Road. Mr. Greene and Mr. Hill thanked Mr. Irwin and Mr. Bloyed for their service.

**LANDFILL** – Brian Greene and Dan Hill were present.

Mr. Greene stated that Grass Valley has slowed down quite a bit, but otherwise things are quiet. The commissioners all thanked Mr. Greene and said he has been great to work with.

**BUILDINGS AND GROUNDS** – John Handka was present.

The crew put up a safety gate on the ladder at the Community Center. The crew also built a catwalk between the ladders in front of the units on the flat roof of the community center to help with slipping. They have been trying to keep up with the leaves. Oasis trained them on changing the filters and cleaning everything on the new units at the Courthouse, which will be done on a quarterly basis.

Mr. Handka went out to the Grass Valley Community Center with Charlie Sparke to look at the main doors and get his professional opinion as to whether they can be fixed or need to be replaced. The locks were stiff so they adjusted and cleaned them. Mr. Sparke told Mr. Handka how to fix the skins that were coming off the doors to temporarily fix them and keep them secure for this year. Mr. Bloyed asked if this was a Band-Aid to get them through for this budget year and Mr. Handka said yes. He will put new doors for the GV Community Center into his budget as a capital project for the next fiscal year. Annette Stripe stated that the difficulty was opening the doors from the inside and Mr. Handka said they fixed the problem when he and Mr. Sparke went out. Commissioner-elect Robert McDougall asked Mr. Handka if he would put into his budget to fix *all* the doors at the community center on July 1<sup>st</sup> and Mr. Handka affirmed.

Airport - A new windsock was installed on the tower. Mr. Handka would like to adjust the fuel prices at the Airport. If the price was lowered from \$4.15 to \$4.05 we would still be making \$.80/gallon and would have the lowest fuel prices in the area.

*Approval to adjust fuel price at airport:* Mr. Irwin made a motion to lower the fuel price at the airport from \$4.15 to \$4.05 with a profit of \$.80/gallon. Motion seconded by Mrs. Shank and passed.

The remaining windows at the courthouse have been installed which completes that project.

*Approval for Lover's Aloft event at McDougal Park and other county facilities.* Mr. Irwin stated the date for the Lover's Aloft Balloon Festival is scheduled from February 9<sup>th</sup> to 12<sup>th</sup>. The insurance will again be provided from the Lions Club. The event sponsors would like to close the road in front of the courthouse for the Glow Show on the evening of Thursday, February 9<sup>th</sup> and use McDougal field for the remainder event. Mrs. Shank made a motion to approve the use of the street in front of the Courthouse and McDougal field for the Lover's Aloft Balloon Festival from February 9-12, 2017. Motion was seconded by Mr. Bloyed and passed, Mr. Irwin abstained.

COMMUNITY CENTER/ECONOMIC DEVELOPMENT – Heidi Lusby-Angvick was present.

Mrs. Lusby-Angvick thanked Mr. Handka for the guard on the ladder at the Center. She is going to be getting a quote on servicing the sliding dividers, they are a bit difficult to move. They have been busy with Christmas parties and everything is going well.

GRASS VALLEY FIRE DEPARTMENT – Sean Burke was present.

Mr. Burke presented Mr. Bloyed with a customized Grass Valley Supporter T-shirt thanking him for his continued support of the fire department. Mr. Irwin was thanked at the last Grass Valley Advisory Board meeting. The new fire truck is in service. Currently it is second out while they continue to outfit it. He stated that the truck will provide years of service.

*Removal of Inventory items:* The department did a room to room inventory of the fire house and crossed out any items they couldn't find or account for. The list submitted to Mrs. Childs is now accurate and has everything currently in the fire house. Mr. Burke stated that in the future they will stay more on top of inventory. Mrs. Shank motion to approve the removal of the inventory items from the Grass Valley Fire Department on the list submitted. Motion was seconded by Mr. Irwin and passed.

*Approval to go to bid for GV Firehouse extension:* Mr. Shields and Mr. Burke modified the bid package. Mr. Shields asked Commissioner-elect McDougal for his input, from an architectural standpoint as well. There were some modifications and clarifications made on the bid. Mr. Irwin made a motion to go out for bid for the Grass Valley Fire House extension. Motion was seconded by Mrs. Shank and passed.

RYE PATCH FIRE DEPARTMENT – No one was present from the Rye Patch Fire Department.

*Approval for higher room rate for EMS training in Winnemucca in November 2016:* Mr. Helms from the Rye Patch Fire Department attended the annual EMS refresher on 11/04/16. Mrs. Shank stated that she believes that there was more than likely a room that would have been within the county rate. Mrs. Shank made a motion not to approve the higher room rate and that they pay at the county approved rate; the individual will be responsible for the difference. Motion was seconded by Mr. Irwin and passed. The commissioners reiterated that a higher room rate needs prior approval.

LEPC – Commissioner Shank stated that they did have a meeting but there is nothing to report.

COOPERATIVE AG EXTENSION – Steve Foster was present. Mr. Foster attended Alfalfa 4-H conference in Reno. He will be attending 2017 Cattlemen's Update from Jan 9<sup>th</sup> to 13<sup>th</sup> which will also be available through interactive video if any wishes to participate. They received a grant to replace the interactive video equipment so they will be replacing that. The 4-H Livestock meeting was last week. The steers have been tagged and the sheep, goats and hogs will be tagged on Feb. 26<sup>th</sup>. Dixie McKay is putting together a 4-H newsletter which Mr. Foster shared with the board. Today there is a Conservation Stewardship Program at the NRCS office. There are conservation practices that producers can do to get points to get cost shares on a lot of things. Mr. Foster didn't have a lot of information on the program.

*JOHN COBURN, UNR COOPERATIVE EXTENSION: Presentation of assessment of Drought Resilience of the Lovelock Public Water Supply System; Result of a groundwater modeling study by the Desert Research Institute:* The study was conducted by the Desert Research Institute (DRI) and paid for by the Nevada Division of Emergency Management (NDEM). NDEM is always looking at Hazard Mitigation plans in each county and they were interested to see if a 15 year drought would threaten municipal drinking water supplies in towns in Northern Nevada. NDEM commissioned Dr. Greg Pohl from DRI to conduct a modeling study of the groundwater basin and they asked Cooperative Extension to deliver the results of the study. The study included all wells in the basin, not just municipal wells, so they could see how all wells would affect the groundwater. The Lovelock Valley Basin (73 and 73A) is bounded by the Trinity Range to the East and the Humboldt and West Humboldt Ranges to the East. The Humboldt River flows NE to SW and is diverted for irrigation. The river terminates and the Humboldt Sink. The majority of recharge from precipitation occurs in the Oreana sub-basin (73A). Groundwater in the lower basin (73) is generally of poor quality. Out of the four municipal wells, three are located in 73A. Total water rights for the Valley are 16,145 AFA, however the estimated use for 2013 (used for average pumping) was 8,811 AFA which is about half the total water rights. Four simulations were run. The model was run to simulate 15 years at full recharge with full pumping, 15 years with full recharge and average pumping, 15 years at half average recharge with full pumping and 15 years at half average recharge with average pumping. The results of the modeling showed that Wells 5 and 8 could experience a head decline of anywhere from 18 to 57 feet and Well 7 could experience a head decline of 15 to 52 feet over 15 years, showing that the Municipal supply wells are resilient to the impact of a 15-year severe drought. However, a drawdown at Well 7 would lower the level past the screened level, this well would need to be deepened to continue to be used. Drawdowns resulting from pumping municipal wells at their full water right are much greater than those resulting from pumping at the average pumping rate. Further results show the most significant impact of the drought would occur in the mountain block. Domestic wells that are located in or near the Humboldt Range in the Oreana sub-basin may experience a drawdown of up to 5 feet and the pumping of irrigation wells would further impact the nearby domestic wells. Recommendations for improved drought resiliency would be to drill any new municipal wells as close to the valley center as possible and space them as widely as possible to avoid compounding drawdown from tightly clustered wells and to increase monitoring for greater feedback on aquifer and well performance. Possible hazard mitigation actions for improved drought resiliency include improving water supply and delivery systems to save water by eliminating leaks and considering water reuse strategies, educating residents on water saving techniques indoors and outdoors, incorporating drought tolerant or xeriscape practices into landscape ordinances, and developing criteria or triggers for drought-related actions.

**PROCLAMATIONS AND AWARDS:** Commissioner Bloyed, Commissioner Shank, and Commissioner Irwin thanked Brian Greene for his 30 years of outstanding service in maintaining our county's roads and landfill, staying within the budget and for going above and beyond with county projects.

Commissioner Shank thanked Commissioner Bloyed and Commissioner Irwin for their years of service as County Commissioners. Mr. Bloyed and Mr. Irwin have each brought their own knowledge and expertise to the county and will be greatly missed. Commissioner-elects McDougal and Rackley thanked them for their help with transitioning into their new positions. Annette Stripe thanked Mr. Greene, Mr. Bloyed and Mr. Irwin for all of their assistance in Grass Valley. Mr. Green, Mr. Bloyed and Mr. Irwin were presented with gold watches as thank you gifts for their service.

**APPROVAL OF ORDER REGARDING TRIAL JURORS FOR 2017 CALENDAR YEAR:** Mr. Irwin made a motion to approve the Order regarding Trial Jurors for the 2017 Calendar Year. The motion was seconded by Mrs. Shank and passed.

**ELECTED DEPARTMENTS:**

LACEY DONALDSON, CLERK-TREASURER – *Approval for credit cards for Mr. McDougal and Mr. Rackley:* Mr. Irwin made a motion to approve the issuance of credit cards with a \$2,000.00 limit for Mr. McDougal and Mr. Rackley. Seconded by Mrs. Shank and passed.

RENE CHILDS, AUDITOR-RECORDER – Mrs. Childs had nothing to report on and she thanked Mr. Bloyed and Mr. Irwin for their service.

LAURI CERINI-JONES, ASSESSOR – In the DMV world, mopeds must now be registered. However, they must have a VIN inspection done by law enforcement. The DMV staff assists with the VIN inspections as much as possible, but sometimes there isn't time. Assessment notices have been mailed and there are already appeals coming in.

*Resolution directing the County Assessor to take certain actions regarding the secured tax roll:* Mrs. Shank made a motion to approve Resolution 16-0610 directing the County Assessor to take certain actions regarding the secured tax roll. The motion was seconded by Mr. Irwin and passed.

BRYCE SHIELDS, DISTRICT ATTORNEY – *Removal of inventory items:* Mr. Irwin made a motion to approve the removal of inventory items off of the District Attorney's inventory list as deemed with Attachment A. The motion was seconded by Mrs. Shank and passed.

**GRASS VALLEY ADVISORY BOARD:** Annette Stripe and Sean Burke were present.

They have scheduled a Town Hall meeting for Saturday, March 18<sup>th</sup> in the morning with a BBQ to follow. Mrs. Stripe will make sure that the Board of Commissioners have all of the dates for the Advisory Board meetings and events. Mrs. Shank stated that she and the incoming commissioners will rotate attending the advisory board meetings.

*Replacement of doors at the Community Center:* This matter was discussed under the Buildings and Grounds update.

Mrs. Stripe expressed her appreciation to Mr. Bloyed and Mr. Irwin for their service.

**UNIONVILLE CEMETERY: APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN PERSHING COUNTY, NEVADA AND THE U.S. DEPARTMENT OF INTERIOR BUREAU OF LAND MANAGEMENT FOR THE PURPOSE OF PREPARING AN ENVIRONMENT ASSESSMENT FOR A RECREATION AND PUBLIC PURPOSES APPLICATION** – All necessary corrections have been made and District Attorney Shields said everything is in order.

Mr. Irwin made a motion to approve the Memorandum of Understanding between Pershing County, Nevada and the U.S. Department of Interior Bureau of Land Management for the purpose of preparing an Environment Assessment for a Recreation and Public Purposes Application, which is the Unionville Cemetery. Motion was seconded by Mrs. Shank and passed.

**BOARD APPOINTMENTS:** Michael Mancebo submitted his resignation from the 911 Surcharge Advisory Board. He was elected to the School Board and an elected official cannot hold a seat on the 911 Board.

Mrs. Shank made a motion to approve the resignation of Michael Mancebo from the 911 Surcharge Advisory Board. The motion was seconded by Mr. Irwin and passed.

There is also a letter from Patty Bianchi requesting to be appointed to the PCEDA Board and asking if there is a provision that would allow a designee to attend the meetings. The open seat is for a county resident and Mrs. Bianchi lives in the city. Mr. Shields will review the request.

The Board adjourned for Litigation meeting at 10:21 a.m. and returned at 10:29 a.m.

**PERSHING COUNTY SHERIFF:** Sheriff Allen was present.

UPDATE – They had a new hire start today. Jessica Moseley will be working in the jail until fully trained and certified. There is still one position to fill. This position will have a few conditions, including grant funding and if Sgt. Stephens returns to work.

MATTERS RELATING TO 2016 BURNING MAN EVENT – Mr. Bullock broke down the arrests for the After Action Report. The specific person's name and what they were arrested for will be added as Appendix F to the After Action Report. The general breakdown of crimes is as follows:

- Misdemeanors – 5
  - Battery – 2
  - Failure to Appear – 1
  - Paraphernalia and trespass – 1
- Gross Misdemeanor – 1
  - False Imprisonment – 1
- Felony – 40
  - Warrant – 1
  - Attempted Murder – 1
  - Burglary – 1
  - Assault or Battery on Public Official – 3
  - Drug associated Felonies – 34

This is the first amendment to the After Action Report. Sheriff Allen has met with Auditor Rene Childs to go over the budgetary numbers so he will be enhancing that part of the report as well. Burning Man has yet to come forward with any questions on the report. Mr. Bloyed asked if we have done anything about invoicing for the extra hours. The District Attorney will review the invoice and then it will be mailed from the Auditor's Office. Mr. Bloyed stated that historically if there were reasonable costs they would pick up the overage in order to avoid any taxpayer money being spent on the event. Sheriff Allen included specific numbers on officer hours and enforcement activity on both pre-event and post-event in the after action report that was sent to Burning Man. Sheriff Allen stated that if the Board or District Attorney has any other questions to please forward them to him so he can make the report as comprehensive as possible.

**REPORT FROM LEGAL COUNSEL:** Bryce Shields was present.

*Grass Valley Cattle Free area fencing:* The Board had a litigation meeting about this matter and it will be put on a future agenda as there wasn't enough information to discuss.

*Report from legal counsel regarding disclosure process of confidential attorney/client meetings and possible open meeting law violation(s):* Mr. Shields gave the Board a memo regarding litigation meetings and how the Open Meeting Law may or may not apply to those. This matter came about because at the November 9<sup>th</sup> meeting the Board recessed for litigation as requested by Mrs. Shank. Mr. Shields was unaware that a litigation meeting was in order. The specifics of the meeting were of a personal matter and there were no Open Meeting Law violations. Mr. Shields asked the Board to please inform him beforehand if a litigation meeting will be called during the regular commission meeting.

**LEVY OF SPECIAL ASSESSMENT ON ALL TAXABLE PROPERTY WITHIN THE CONFINES OF THE BUENA VISTA GROUNDWATER BASIN FOR THE FISCAL YEAR JULY 1, 2017, TO JUNE 30, 2018 IN THE AMOUNT OF \$3,596.94; LEVY OF SPECIAL ASSESSMENT ON ALL TAXABLE PROPERTY WITHIN THE CONFINES OF THE DESERT VALLEY GROUNDWATER BASIN FOR THE FISCAL YEAR JULY 1, 2017, TO JUNE 30, 2018 IN THE AMOUNT OF \$4.30; LEVY OF SPECIAL ASSESSMENT ON ALL TAXABLE PROPERTY WITHIN THE CONFINES OF THE HUALAPAI FLAT GROUNDWATER BASIN FOR THE FISCAL YEAR JULY 1, 2017, TO JUNE 30, 2018 IN THE AMOUNT OF \$749.34:**

Mr. Irwin made a motion to approve the levy of special assessment on all taxable property within the confines of the Buena Vista Groundwater Basin for the Fiscal Year July 1, 2017, to June 30, 2018 in the amount of \$3,596.94; Levy of special assessment on all taxable property within the confines of the Desert Valley Groundwater Basin for the Fiscal Year July 1, 2017, to June 30, 2018 in the amount of \$4.30; Levy of special assessment on all taxable property within the confines of the Hualapai Flat Groundwater Basin for the Fiscal Year July 1, 2017, to June 30, 2018 in the amount of \$749.34. Motion was seconded by Mrs. Shank and passed.

**LEE BONNER, NDOT: PRESENTATION OF ZERO FATALITIES AWARD** – Lee Bonner and P. D. Kiser from the State of Nevada Department of Transportation presented. Zero Fatalities is a message they have been spreading throughout the state. They set the goal at zero because they look at the State of Nevada like they look at a family. The goal within the family, or the State, should be that everyone survive. They do everything they can, within the limitations of funding, to educate, engineer, enforce and provide emergency response for Zero Fatalities. In 2015, Pershing County was the only county in Nevada without a fatality. To show how difficult that is they stated that so far in 2016 there have been 4 fatalities. Right now in Nevada there is only one county that currently has no fatalities. They commended our county's emergency response teams with their assistance in reaching the Zero Fatalities goal. Mr. Irwin stated that some of the safety measures that have been put into place to keep our highways safe include rumble strips on the sides and in some cases the middle of the roads, cable barriers in the medians and more turnarounds to assist emergency personnel being to turn around more frequently to decrease response time. Mr. Irwin expressed his thanks for everything that NDOT has done to keep our county safer. Mr. Bonner and Mr. Kiser presented the Zero Fatalities Award to Pershing County, the county commissioners accepted on behalf of the County.

**PLANNING DEPARTMENT MATTERS:** James Evans was present.

**PUBLIC HEARING, REQUEST FOR REVIEW AND RECOMMENDED APPROVAL OF A PARCEL MAP APPLICATION ON APN 007-031-21 FOR ROBERT KENNERSON. THE APPLICANT IS PROPOSING THE DIVISION OF THE EXISTING PARCEL INTO (1) 5.29 ACRE ± PARCEL, (1) 2.38 ACRE ± PARCEL, (1) 26,714 SQUARE FOOT ± PARCEL AND (1) 24,387 SQUARE FOOT ± PARCEL. THE APPLICANT IS PROPOSING TO USE TWO (2) OF THE PARCELS FOR EXISTING SINGLE FAMILY DWELLINGS AND TWO (2) PARCELS FOR FUTURE NON-RESIDENTIAL DEVELOPMENT. THE PARCEL IS ZONED INDUSTRIAL (I) AND LOCATED AT 420 HOBO LANE IN PERSHING COUNTY, NV** – Robert McDougal asked whether this land was within an Agricultural Preservation area. Mr. Evans stated that it was not.

Mrs. Shank made a motion to approve the Parcel Map application on APN 007-031-21 for Robert Kennerson to divide the existing parcel into (1) 5.29 acre ± parcel, (1) 2.38 acre ± parcel, (1) 26,714 square foot ± parcel and (1) 24,387 square foot ± parcel. Two (2) of the parcels will be used for existing single family dwellings and two (2) parcels for future non-residential development. The parcel is zoned Industrial (I) and located at 420 Hobo Lane in Pershing County, NV, with the recommendation of the Planning Board, noting findings A through O. Motion was seconded by Mr. Irwin and passed.

**IMLAY WATER SYSTEM:** James Evans was present.

Everything is going well and Mr. Evans had nothing further to report.

**BUILDING DEPARTMENT MATTERS:** James Evans was present.

This month has been pretty busy, but there is nothing significant to report.

**CORRESPONDENCE:** There was no correspondence.

**APPROVAL OF VOUCHERS:** Mrs. Shank made a motion to approve all vouchers with the exception of Voucher #1047, which will be reduced to the \$77 County motel rate plus appropriate taxes, and Voucher #290, to remove the \$60 charge for body recovery. Motion was seconded by Mr. Irwin and passed.

**REPORT FROM ADMINISTRATIVE ASSISTANT:** Mrs. Wesner did not have anything to report.

**DISCUSSION OF THE STATUS OF THE PERSHING COUNTY ECONOMIC DEVELOPMENT AND CONSERVATION ACT:** Mr. Irwin stated that the next step would be to put the bill back on the agenda to get the approval or disapproval of the new commissioners. Mr. McDougal will probably be attending the Legislative Conference for the National Association of Counties. This would be a good time to meet with Congressman Amodei and Senator Heller as well as the new Senators and Representatives who would push the bill through. Mr. Irwin suggested that Mr. McDougal meet with commissioners from Douglas and Washoe counties because Pershing County’s lands bill is tied in with lands bills from those counties as well. He suggested that perhaps the County contract with the Porter Group as a lobbyist, or continue to lobby on its own. Mr. Irwin also reiterated that he would be willing to help in any way that he can.

**MATTERS OF THE BOARD FOR DISCUSSION, BOARD MEMBER REPORTS, BOARD LIAISON REPORTS:** Mrs. Shank stated that it has been a pleasure to work with Mr. Irwin and Mr. Bloyed and thanked them for their years of service.

Mr. Irwin stated that the 911 Surcharge Committee just lost their chairman and he reiterated that if the Board doesn’t meet the required 4 times per year that we will lose the surcharge that goes on the phone bill. Mr. Irwin attended a NACO meeting on December 16<sup>th</sup>. The biggest thing that would affect our county is the bill dealing with indigent defense that could change the way we do things. The bill could cost the County quite a bit of money. It would take the average spent on indigent defense over the last three years, which in our county is well over \$100,000 annually, to be paid to the State in order for them to run the indigent defense for all counties. NACO is not supporting the bill at this time. There is also a bill about requiring law enforcement to wear body cameras. This bill is also not supported by NACO because of the cost to the counties in processing and redacting the information and fulfilling public records requests. Mr. Irwin stated there were other bills to stay on top of, including recreational marijuana and courthouse proximity to schools.

Mr. Bloyed stated that it was his distinct honor and privilege to serve on the Board for the last 12 years and he feels the County will be in good hands with the incoming commissioners. He also thanked Mrs. Wesner for her assistance over the past years.

Mr. Irwin stated that it has been a pleasure to serve the people of Pershing County.

**PUBLIC INPUT:** There was no public input at this time.

The meeting was adjourned at 11:19 a.m.

Approved 2/1/17: \_\_\_\_\_/s/  
Carol Shank, Chairwoman

Attest: \_\_\_\_\_/s/  
Lacey Donaldson, Clerk