

SEPTEMBER 19, 2018

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

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

PUBLIC INPUT: There was no public input 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. 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 Mrs. Shank and passed.

UNCLASSIFIED DEPARTMENTS:

ROAD DEPARTMENT – Mr. McDougal stated that Mr. Hill is not available today, but he has asked for approval to hire John Rogers as a temporary employee for a few days. Mrs. Shank stated that there isn't an item on the agenda for approval. Mr. McDougal felt the agenda allowed action to be taken.

Mr. Rackley made a motion to approve the hiring of John Rogers as a temporary employee for the Road Department. Motion seconded by Mrs. Shank and passed.

LANDFILL AND RECYCLING – Mr. Rackley reported that all the material purchased with the grant funds has been received for the Recycling Center. The prison crew will be here next week to start pressure washing the building and then they will paint.

Approval of donation of a cargo trailer to store used electronics: Mrs. Shank made a motion to approve Mr. Nielsen looking for and accepting a donation of a cargo trailer to store used electronics. Motion seconded by Mr. Rackley and passed.

BUILDINGS AND GROUNDS – John Handka was present.

Mr. Handka reported that they installed all the new panic buttons in the Courthouse, Admin Building, Library, Annex, Senior Center and Community Center. The upgrades to the fire monitoring system are in progress. The crew has also been doing some work at the McDougal Sports Complex. They raked up some weeds and have painted lines on the fields so NDF (Nevada Division of Forestry) can come in and cut each foul line straight. The NDF crew will also be helping the Buildings and Grounds crew in Imlay, Rye Patch and at the Recycling Center. The swimming pool will be covered this Friday and the plumbing work will start the beginning of next week. They are installing cameras at the Senior Center today. There will be two cameras inside the building and five cameras on the outside of the building. These cameras will only be monitored inside the Center and will not be able to be monitored remotely. Mr. Handka stated that they will be working on the Community Center's cameras next week.

Mrs. Shank thanked Mr. Handka for the work they have done in Imlay. Mr. McDougal stated that there are some additional projects the residents of Imlay would like to do at the Community Center. They are also talking about turning the School District's ballfield into a community ballfield.

Paul Schlehr spoke about weeds that were cut at the Grass Valley Community Center and asked if there had been any discussion about composting it. Mr. Handka stated that usually the goat herders bring their goats through and they clean up the weeds. Mr. Burke stated that the Fire Department has plans to burn them. The goats are gone.

AMBULANCE/FIRE DEPARTMENTS –

GRASS VALLEY FIRE DEPT.: Sean Burke was present.

Mr. Burke reported that their call volume has been down. They have been monitoring the burn pit at the Landfill transfer station and removing items that can't be burned. Mr. Burke stated that every year they increase their maintenance budget and every year they still go over. He is continually surprised at how expensive it is to maintain their trucks.

IT DEPARTMENT – Justin Abbott was present.

Mr. Abbott reported that he has completed the initial draft of the IT Modernization Road Map. He has given a copy to all the department heads for feedback. He is still working on the draft IT policy. He is working with the Sheriff to replace an older server at the Law Enforcement Center and possibly purchase a higher end workstation to be used for information redaction. Mr. Abbott also reported that he is looking at options to host or co-locate some of our server functions in a cloud environment. Mr. McDougal asked if Mr. Abbott felt we had competent enough connectivity to utilize cloud services. Mr. Abbott stated that is one of his concerns, but he is looking into it.

ELECTED DEPARTMENTS:

LACEY DONALDSON – Mrs. Donaldson reported that she attended the annual County Fiscal Officers Association Conference last week in Minden. She has interviews this afternoon for the open position in the office and hopes to have someone hired by the end of the week. Ballots have been proofed and they are preparing for the General Election in November.

RENE CHILDS, RECORDER-AUDITOR – Mrs. Childs reported that she was at the County Fiscal Officers Conference last week as well and attended both Recorder and Auditor meetings. Some of the counties have already began transitioning to Tyler Financials and have found that there is a lot of manual data entry as the ADS information is not transferring. She thanked the Board for letting her fill the $\frac{3}{4}$ time position as she will definitely need the assistance. Stephiene Yenne, the new full-time employee, will start on October 2nd and will handle 95% of the Recording functions. Jeannette Hughes, the $\frac{3}{4}$ employee, started on Monday.

LAUREEN BASSO-CERINI, ASSESSOR – Ms. Basso-Cerini stated that two trainers from Devnet were here September 9th & 10th. She is going to ask for some more detailed, hands-on training. Valiree Phillips is working on sending out second notices for Declarations of Value that still need to be submitted. Ms. Basso-Cerini is working on getting a quote for the Jeep that was approved during budgets. With the changes to the Wrangler model for 2019, there are no 2018s available, so the price might be out of reach.

Mrs. Donaldson also reported that Devnet has purchased a house in Carson City to use as their office and have hired Ardie Hunt from ADS.

UPDATE ON PROGRESS OF SITE LOCATION: Mr. Rackley stated that he didn't have anything to report.

PROCLAMATIONS: There were no Proclamations or Awards to consider.

GRASS VALLEY ADVISORY BOARD: Paul Schlehr and Sean Burke were present.

Mr. Schlehr spoke about a Veteran's event in Winnemucca. All Veterans in Pershing, Humboldt and Lander counties are invited. It will be held at the Vesco Park on September 29th from 10 a.m. till 2 p.m.

Mr. Burke stated that the weeds have been taken care of at the Community Center, but there are still some other things that need to be addressed, most importantly, the leak in the roof. With winter coming, they may need to hire an outside contractor to get it taken care of before it gets worse. Mrs.

Shank asked about the doors. Mr. Burke stated that they still need pull handles, but if it is ok with the Board he will install them himself. The Board was fine with that.

Mr. Burke also mentioned that Judge Stephens will be sending someone to Mr. Burke to complete some community service hours.

TOWN OF IMLAY: Monica Hiibel was present.

Ms. Hiibel stated that their next Community Action meeting is on Monday. They have scheduled a town/baseball field clean-up day for October 13th. The event will be catered. They are accepting submissions to design a sign for the Community Center. Ms. Hiibel also stated that they would like to see the County take over the ownership of the ballfield from the School District. They are also working with Pam Munk to find grants for playground equipment.

It was noted that both Mr. McDougal and Mrs. Shank attended the last Imlay Community meeting, but did not speak with each other.

DERBY FIELD AIRPORT: Mr. Rackley showed the Board a picture of a sign that was made for the Airport. An item will need to be on the next agenda to approve the payment.

BOARD APPOINTMENTS: LIBRARY BOARD – A letter was received from Marianne Papa. Mrs. Shank made a motion to reappoint Marianne Papa to the Library Board with a term expiring June 30, 2022. Motion seconded by Mr. Rackley and passed.

AMICUS BRIEFING, CONSIDERATION OF SUPPORTING LYON COUNTY, WALKER RIVER IRRIGATION DISTRICT: REQUEST TO SUBMIT AN AMICUS BRIEF SUPPORTING LYON COUNTY, WAKER RIVER IRRIGATION DISTRICT, ET AL IN THE CASE CAPTIONED MINERAL COUNTY AND WALKER LAKE WORKING GROUP, APPELLANTS VS. LYON COUNTY; CENTENNIAL LIVESTOCK; BRIDGEPORT RANCHERS; SCHROEDER GROUP; WALKER RIVER IRRIGATION DISTRICT; STATE OF NEVADA DEPARTMENT OF WILDLIFE; AND COUNTY OF MONO, CALIFORNIA, RESPONDENTS, BEFORE THE NEVADA SUPREME COURT CONCERNING ISSUES INCLUDING: (1) WHETHER THE PUBLIC TRUST DOCTRINE APPLIES TO RIGHTS ALREADY ADJUDICATED AND SETTLED UNDER THE DOCTRINE OF PRIOR APPROPRIATION AND, IF SO, TO WHAT EXTENT? AND (2) IF SO, WHETHER THE ABROGATION OF SUCH ADJUDICATED OR VESTED RIGHTS CONSTITUTE A “TAKING” UNDER THE NEVADA CONSTITUTION REQUIRING PAYMENT OF JUST COMPENSATION? DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING: (A) AUTHORIZATION FOR DISTRICT ATTORNEY’S OFFICE TO COMMUNICATE WITH WATER LAW ATTORNEY(S) REGARDING THIS MATTER AND TO RETAIN A WATER LAW ATTORNEY TO REPRESENT PERSHING COUNTY AS IT RELATES TO THE IMPACT OF THIS CASE TO NEVADA WATER LAW FOR VESTED AND/OR ADJUDICATED WATER RIGHTS INCLUDING THOSE PURSUANT TO THE DECREE FOR THE HUMBOLDT RIVER BASIN AND FOR OTHER WATER BASINS THROUGHOUT NEVADA; AND/OR (B) AUTHORIZATION FOR DISTRICT ATTORNEY FOR PERSHING COUNTY TO SUPPORT AND/OR JOIN ANOTHER PARTY OR ENTITY IN THE PREPARATION AND SUBMISSION OF AN AMICUS BRIEF IN THIS MATTER– Mr. McDougal stated that the Walker Lake Working Group is looking for more water to flow into Walker Lake, but the water in the Walker River is all spoken for. Mr. McDougal stated that, as he understands it, if this lawsuit is successful it could overturn all of Nevada water law. Mr. Shields agreed that it has some pretty serious implications. Mr. McDougal stated that the Pershing County Water Conservation District has secured Laura Schroeder to write an Amicus Brief and they would be happy if Pershing County joined as a participant.

Mrs. Shank made a motion to authorize District Attorney Shields to reach out to the Schroeder Firm to begin the process of joining in the Amicus Brief regarding the Walker River Irrigation District. Motion seconded by Mr. Rackley and passed.

APPROVAL OF A RESOLUTION IN OPPOSITION TO QUESTION 3 THAT WILL APPEAR ON THE NOVEMBER 2018 BALLOT TO DEREGULATE THE ENERGY INDUSTRY IN NEVADA: Mr. McDougal suggested that the Board not consider adopting a Resolution as it would not be a unanimous decision. He felt the Commission could individually support or oppose the measure publicly if so desired. Mrs. Shank agreed.

Mr. Rackley felt Mr. McDougal and Mrs. Shank were both off-base and unwarranted in not opposing Question 3.

Mrs. Shank stated that she didn't feel her opinion regarding the issue should affect the way the public votes.

DISCUSSION REGARDING PROPOSED PROJECTS #N93930 AND #N93831 BY RYE PATCH GOLD: The Lovelock Meadows Water District (LMWD) and the City of Lovelock have both submitted letters in opposition. Lovelock Meadows feels that the project could damage their water transmission line. Mrs. Shank asked if Rye Patch Gold's expansion plan could be redrawn so it doesn't impact LMWD's infrastructure. Mr. McDougal stated that would be up to Rye Patch Gold.

Mr. McDougal suggested supporting LMWD's position in regards to these proposed projects and suggests that Rye Patch Gold reconsider and reconfigure their expansion plan to eliminate the impact. Mr. Rackley stated that we should protest the applications.

Mr. Rackley made a motion to protest proposed projects #N93930 and #93831 by Rye Patch Gold. Motion seconded by Mrs. Shank and passed.

LOVELOCK REVITALIZATION ASSOCIATION (LRA): REQUEST FOR LETTER OF SUPPORT FOR THEIR GRANT APPLICATION TO THE NATIONAL TRUST PRESERVATION GRANT – Mrs. Shank made a motion to write a letter for the Lovelock Revitalization Association in support of their grant application to the National Trust Preservation Grant. Motion seconded by Mr. Rackley and passed.

Mrs. Childs wanted to clarify that this grant would not come to the County. Mrs. Shank stated that was correct.

JOHN BELL, PRESENTATION AND REQUEST FOR COMMISSION SUPPORT TO INCREASE MR. BELL'S AUMS (ANIMAL UNIT MONTH) ON THE PRINCE ROYAL ALLOTMENT AND DISCUSSION REGARDING THE COUNTY'S PREVIOUS ABANDONMENT OF WATER LINE IN THE AREA: Johna Bell stated that they have been working with the BLM to increase their AUMs. Currently they are only allowed to run ten cows per month for six months on roughly 20,000 acres. They are working with the BLM to implement a fire and fuels reduction program, which would basically be running more cows where appropriate to reduce the fire fuels. A BLM Hydrologist is currently assessing the health of the springs and creeks and then an EA (Environment Assessment) will be completed to determine the appropriate number of cows. A scoping letter has also been sent to neighboring property owners asking for comment, which has been favorable. The Bell's would like to use the abandoned pipe line in order to evenly distribute water, so the cows can be spread out more evenly where needed.

Mr. McDougal commended them for their efforts.

Mr. Rackley made a motion for Pershing County to write a letter supporting an increase to Mr. Bell's AUMs on the Prince Royal Allotment. Motion seconded by Mrs. Shank and passed.

Mr. Shields stated that the County has already abandoned those water lines so permission to use them isn't necessary.

The meeting recessed at 9:38 a.m. for a Litigation meeting and reconvened at 9:51 a.m.

UNCLASSIFIED DEPARTMENTS, CONT.D:

SAFETY/GRANT WRITER – Pam Munk was present.

Mrs. Munk reported that the AFG (Assistance to Firefighters Grant) grant has reopened so she needs to meet with the fire departments to ascertain their needs. The application period closes on October 26th. There is a 25% grant match.

Kaboom has a new grant open and it is due November 9th. Mrs. Munk stated that she has obtained three proposals for playground equipment. She would like to give the old, usable equipment to Imlay. She asked if the Road Department would be able to do the prep work once the old equipment is removed. The Board stated that they would provide whatever is needed. They do have a Fundraiser scheduled for December 21st and it will be a Mystery Dinner.

SHERIFF'S DEPARTMENT: Mr. Rackley received an email from Sheriff Allen. He would like input from the Commissioners on what they would like to see in the Burning Man Post Mission Synopsis.

REPORT FROM LEGAL COUNSEL: Mr. Shields stated that last week at the Washoe County Commission meeting a Commissioner brought up adjusting county lines so the Burning Man event took place in Washoe County. He would like the Board to think about this and an item will be put on a future agenda if needed.

REPORT FROM ADMINISTRATIVE ASSISTANT: Mrs. Wesner stated that there was a Department Head meeting yesterday with 12 department heads in attendance. They discussed the changes or updates being made to the Personnel Policies and the job descriptions. Once Mrs. Wesner has made the suggested changes it they will come before the Commission for final approval.

UPDATE ON THE PERSHING COUNTY ECONOMIC DEVELOPMENT AND CONSERVATION ACT: No update was given.

ITEMS FOR FUTURE AGENDAS: There were no items discussed.

CORRESPONDENCE: There was no correspondence discussed.

MATTERS OF THE BOARD FOR DISCUSSION, BOARD MEMBER REPORTS, BOARD LIAISON REPORTS: Mr. Rackley did not have anything to report.

Mrs. Shank attended a meeting in Rye Patch last night concerning Lovelock Meadows Water District's solar project. There will be an item on the October 3rd Commission agenda for further discussion. Mrs. Shank also attended the Recreation Board meeting and thinks they are moving forward. She suggested that the Buildings and Grounds Supervisor attend those meetings.

Mr. McDougal did not have anything to report.

PUBLIC INPUT: Carl Clinger stated that the Big Meadow Conservation District has invited Rich Hamilton to give a presentation about the solar project as well.

Mr. Abbott spoke about the Broadband Action Committee, stating that they need help from the community in filling out the assessment survey.

Carolyn Hultgren stated that there is a flu shot clinic free to everyone a week from tomorrow. The following day there will also be flu shots available in the Round Room for Hometown Health participants.

The meeting recessed at 10:13 a.m. and reconvened at 10:57 a.m.

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

PUBLIC HEARING: BLACKSTONE REALTY INVESTORS AND HIGH ROCK HOLDING LLC, APPLICATIONS #86608, #86609, AND #87161, WHICH PROPOSE TO CHANGE THE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF A PORTION OF WATERS APPROPRIATED UNDER THE BASE RIGHT WHICH IS IN PERSHING COUNTY, NEVADA TO PLACES OF USE WITHIN WASHOE COUNTY – Mr. McDougal discussed this with Bennie Hodges of PCWCD this morning. The water would still be used for irrigation and the point of diversion would not be moved very far. They are looking for a letter of support; however, Mr. McDougal doesn't feel it is necessary if Pershing County is not going to protest. Mrs. Wesner stated that by statute, the Board has to recommend a course of action. Mr. Shields stated that the statute reads "may". Mr. Shields also stated that past practice of this board has been to protest any application that wants to move water out of the county, which is also in line with the County's Water Resource Plan.

Mrs. Shank made a motion to write a letter to the State Water Marshall's office recommending that Application #86608, #866098, and #87161 submitted by Blackstone Realty Investors and High Rock Holding LLC be denied. Motion seconded by Mr. Rackley and passed.

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

Mr. Rackley informed the Board that he will be having a teleconference with Congressman Amodei's office to discuss funding for the jail.

Mr. Shields spoke about Legal 2000 holds. They are no longer receiving cooperation from the Ambulance Department to transport these people, so Law Enforcement has been transporting them. This is a medical issue, not a law enforcement issue. Mr. Shields would like to set up a meeting. Mr. Rackley will speak with them and give an update at the next meeting.

As there was nothing further to come before the Board, the meeting adjourned at 11:12 a.m.

Approved 10/03/18: _____/s/
Robert McDougal, Chairman

Attest: _____/s/
Lacey Donaldson, Clerk