

AUGUST 5, 2020

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

APPROVAL OF MINUTES: Mrs. Shank noted that the minutes submitted were 48 days from the meeting date. Mr. Rackley made a motion to approve the June 17, 2020 regular meeting minutes as submitted. Motion seconded by Mr. McDougal 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: Motion by Mr. McDougal that there is no burden, seconded by Mr. Rackley, motion carried.

UNCLASSIFIED DEPARTMENTS:

LANDFILL & RECYCLING MATTERS – Mr. Rackley was present.

They met with the EPA (Environmental Protection Agency) and have sampled debris from the fire. They also took a sample from the burn site. As of yet, they don't have any results from those tests.

ROAD DEPARTMENT – *Approval of an Agreement/Deed transferring a portion of the county road to the Coeur Rochester Mine entrance consisting of approximately 1.3 miles:* Mr. Shields described the section of road and discussed the reasoning behind the request. The road is at the mine entrance and is already paved and will be maintained by Coeur Rochester. It's a safety maneuver to make sure people aren't entering the mine and putting themselves into danger where mining activity is occurring. When the mining activities stops, if ever, the road will be reverted to Pershing County property. The transfer will not change any public access to Buena Vista Valley. The road goes from the cattle guard to the gatehouse. Gina Hawkins, environment manager at Coeur Rochester was in attendance and stated that there would be no change in access to American Canyon Road. Mr. Rackley made a motion to approve the agreement/deed transferring a portion of the county road to the Coeur Rochester Mine entrance consisting of approximately 1.3 miles, seconded by Mr. McDougal, motion carried.

SENIOR CENTER – Debra Campbell was present.

Mrs. Campbell stated that the grants have been submitted. The drive-through that they were thinking of implementing isn't going to work because they don't have the correct equipment. They are delivering 32-40 meals per day. Access to Healthcare has offered a computer for the seniors to use to apply for healthcare; open enrollment starts in October. They'll be setting up appointments for seniors to use them. Janice Rutherford's AmeriCorps contract is up and they're looking for a new volunteer. They will open the Center back up as soon as allowed. The bingo board has been installed; however, they might need some technical support to get it working correctly.

BUILDINGS AND GROUNDS – John Handka was present.

Mr. Handka stated that they've been evaluating the trees around the cemetery to see if any others may be a possible hazard and filling in holes from the ones that uprooted. They've worked on the AC unit at the library. Too much dirt is getting into the units from the high winds and causing havoc with several AC units. The same problem has happened at the Imlay house with the AC unit. The septic tank at the Imlay house had to be drained. The pool engineer has assessed that there were no cracks in the shell of the pool or the skimmer system. However, he thinks there is something wrong with the

circulatory system and he has contacted an expert to come out and do more tests. The pool will be closed until the assessment can be done but it will need to be filled in order to winterize it. They added a new stainless-steel backsplash at the Senior Center near the steam table. The crew did repairs at the Lone Mtn. cemetery on some drip lines. Mr. Handka met with the cemetery board about the Chinese cemetery and their flagpole. He also met with the board about the Unionville cemetery. Mr. Handka stated that Mr. Whitaker has done an outstanding job out there. They will work on creating a firebreak around the fencing at the Unionville cemetery. Mrs. McKay's phone wasn't working with the security cameras at the Community Center. The issue is with the app and Mr. Handka is trying to get them working but he believes that they'll need newer technology.

Approval to install a new Lennox KGB rooftop unit to match existing and new curb adaptor to replace and dispose of existing non-functional unit at the Community Center-\$14,295.00: Mr. Handka stated that this is the unit that goes over the big room that they've been having issues with periodically over the last year. It's four to six weeks out to get it ordered and installed. Mr. Rackley asked if Mr. Handka got more than one bid, Mr. Handka stated that it's under the amount needed to go out to bid. Mr. McDougal made a motion to approve replacement of the unit, seconded by Mr. Rackley, motion carried.

Request for approval to replace Courthouse Park Restroom doors by Thompson Doors in the amount of \$7365.19: Mr. Handka stated that these doors were similar to the doors at the pool that they had to replace, but that instead of the jams being placed in mortar they were placed directly into concrete and that the jams on the doors are swelling and sinking and making the doors difficult to open. People think the doors are locked, but many times they have just been jammed. Mr. McDougal stated that Thompson doors is usually extremely expensive and would like to have other companies give estimates. Mr. Handka will see if he can get other prices.

PERSHING COUNTY FIRE/AMBULANCE –

AMBULANCE REPORT: Mr. Wilcox was present. Mr. Wilcox stated that they've had a busy month. The EMT class has started. They're hoping that after the class is over, they can pick up a few EMT (Emergency Medical Technician) and Volunteer firefighters out of the group to join the department. They are having trouble with recruitment and retention because of the high demand they ask of their people. They started the Firefighter 1 class; it will be 2 days a week. In September they'll start doing practicals to get ready for the state exams. Grass Valley is doing their own training. Imlay can't get that involved in training right now, but they'll get books for them to start. Rye Patch has one person going with Lovelock and the rest of the crew will train at a later date.

LOVELOCK FIRE DEPT. REPORT: There was a fire at Indian Canyon, both Rye Patch and Imlay were unavailable to respond so Lovelock and Grass Valley took the lead.

FIRE INSPECTOR: Approval of job description as independent contractor; approval to advertise the position and approval of annual stipend: Mrs. Shank presented a draft description. Mr. Rackley asked why it was prepared by Mrs. Shank instead of HR? Mrs. Shank stated that she met with them, that Mr. Shields, Mr. Wilcox and Mr. Heidemann all had input and that she came up with this draft last night so that they had something for the meeting today. This will go to HR for revisions as needed and final approval by the board. Mr. McDougal stated that his concern is that we in the County need to be doing only the minimum required, that the State needs to be doing the maximums that they are required to do by statute and not put in on the county to do inspections that they (the State) are mandated to do. He wants this written in the description somewhere so it's clear for future boards. Mr. Wilcox agreed. Mrs. Childs stated that the position is not in the current budget and we don't have the funding for a new position, especially due to budget cuts. Mr. Shields stated that the position could possibly be funded by an increase in business license fees. He explained that we can only currently raise the fee by \$4 unless we petition the Department of Taxation explaining that there hasn't been an increase for 40 years and the increase proposed would be commensurate with other neighboring counties. Mr. McDougal asked if a fee could be tacked on to only those business licenses that

necessitate a fire inspection? Mr. Rackley asked the District Attorney's office to look at a possible fee schedule.

GRASS VALLEY FIRE DEPT.: Mr. Burke was on Zoom.

The department lost two members; one went off to paramedic school and one is just too busy at her job. They are down on medical calls but have had a larger than usual amount fire calls which is keeping them busy. Mr. Burke will do the Firefighter 1 class for the volunteers in Grass Valley.

RENEWAL OF THE WILDLAND FIRE PROTECTION PROGRAM INTER-LOCAL AGREEMENT BETWEEN PERSHING COUNTY AND THE NEVADA DIVISION OF FORESTRY: Mr. Shields stated that nothing of substance changed between the previous agreement and this proposed current one.

Mr. McDougal made a motion to continue with the agreement, seconded by Mr. Rackley, motion carried.

COMMUNITY CENTER – Mrs. McKay was present on Zoom and thanked Mr. Handka for his help with the cameras and had no other update.

COOPERATIVE EXTENSION – Mrs. Burke submitted a written newsletter for update.

IT DEPARTMENT – Mr. Abbott was present.

He is working on getting all offices transitioned to Office 365. Mr. Abbott is working on getting Wi-Fi to the Courthouse and the Admin Building. Things have been pretty busy and will more than likely stay that way for the next couple of months.

PUBLIC DEFENDER – A written report was submitted by Mr. Cochran.

Salary Resolution-M. Madrigal-Legal Secretary II: Mr. McDougal asked if this was planned and budgeted for. Mrs. Shank stated it was.

Motion to approve by Mr. McDougal, seconded by Mr. Rackley, motion carried.

ELECTED DEPARTMENTS:

RENE CHILDS, AUDITOR-RECORDER – Mrs. Childs presented monthly reports to the board. CTX revenue for the month of May was \$207,235.00 which is up from the previous month and the same period last year. Fuel Tax and Diesel Tax have come in for May. Their office is extremely busy with year-end. She is working with the Treasurer's office on the accrual process in the new system but is having a hard time getting support from Tyler.

LAURIE BASSO-CERINI, ASSESSOR – A written report was submitted by Ms. Basso-Cerini. Mr. McDougal again requested a report or update from the Assessor on possible effects from new and proposed projects in the county like the Solar farm and data farm. He doesn't want this to be forgotten because it affects the future of the county.

BRYCE SHIELDS, DISTRICT ATTORNEY – Mr. Shields doesn't have anything to update on his office or the child support office but gave a brief overview of how code enforcement is working. They've had some cases east of Lovelock, kind of out in the middle of nowhere. There was a couple who built a structure that was actually on the wrong property. Fran was able to help them move it to the correct parcel, but then they were out of code. This is an example of how they handle this code violations. They file a nuisance, go to court, and then prosecute the person. They then ask the court to delay sentencing or fines so that they can work with the person to remedy the violation. This has helped many people come into compliance. Property owners have been very cooperative. Mr. Shields also stated that the Building Department and Code Enforcement Department are working very well together to solve these issues.

JERRY ALLEN, SHERIFF – Sheriff Allen submitted a written report. The report stated that they have nine inmates in physical custody. The new 911 system is installed and working well but they need to work out some bugs and take the laptop off premises so they can be assured it works off the home network. They are down another deputy for a total of 6 vacancies and currently only have one application for deputy and 4 for dispatch. This staff shortage could affect how they respond to calls for

service. Sheriff Allen is covering nights in the jail until they can get coverage back up. Sheriff Allen stated that they need to come up with a plan to bring staffing levels up, especially to cover when staff is off for medical or investigative reasons.

UPDATE ON PROGRESS OF SITE LOCATION, DESIGN, FUNDING, AMENITIES AND CONSTRUCTION OF FUTURE LAW ENFORCEMENT CENTER: The Windmill property is currently in foreclosure, but they think they will get it back in a couple of months. Mr. Shields asked that the Board find out for sure if the City is willing to abandon the street between the current Law Enforcement Center and the Windmill if they are really going to attempt to purchase that property. Mr. Shields stated that he felt the Mayor shut down that request due to utilities underground and drainage issues. The street would be used for ingress and egress but not open to the public. Mr. McDougal suggested that the County make a formal request to the City and explain exactly what the street would be used for and come up with solutions to any issues.

DERBY FIELD AIRPORT: Mr. Rackley stated that there was another round of funding last week. The report from the Federal Government had some airports in Nevada listed that were going to get funding, but Derby Field wasn't mentioned. However, perimeter fencing in general was mentioned. Chris Knox with Armstrong has been working on it and it sounds like it'll be pretty soon when the funding for the fencing will come in.

BOARD APPOINTMENTS/RESIGNATIONS: Mr. Rackley made motion to approve the resignation of Jennifer Hill from the Debt Management Board, seconded by Mrs. Shank. Mr. McDougal voted against. Motion carried.

UNIONVILLE CEMETERY: UPDATE ON MATTERS RELATED TO THE UNIONVILLE CEMETERY; SET DATE FOR UNIONVILLE TOWN HALL MEETING – Dale Talcott, chairperson for the Pershing County Cemetery Board, was present.

They recently had a meeting at the Pershing County Cemetery in Unionville. The Department of Interior gave a land patent and title to the 10-acre area encompassing the cemetery. Mr. Talcott and a surveyor friend walked the area and staked it out for a better visual. He asked the Board for an official legal survey of record of the property so they can be assured that all activity happens within the property boundaries. Mr. Rackley asked if the BLM (Bureau of Land Management) did a survey. Mr. Talcott stated that in the paperwork it states that it is the grantees responsibility to do the survey. There are graves outside the current fence, but it is believed that they are in the area of the cemetery. They need to expand the fenced area to encompass that area and possibly more of the parcel. John Milton with Desert Mountain Survey did a survey of the parcel just south which gave Mr. Talcott a starting point for their preliminary staking. Mr. McDougal asked Mr. Talcott to contact Mr. Milton and see about a price for the survey for the area. Mrs. Shank stated that as soon as there is a cost for the survey it can be put on the agenda for approval. The residents of Unionville requested a decent sign to be put up at the entrance of the cemetery. Mr. Talcott stated that a sign is in the plans. Mrs. Shank asked Mr. Talcott if he thought they should wait to schedule a town hall meeting until they have more information, he agreed that it would be best to at least have the survey done before the meeting.

PHASE II OF THE REMOVAL OF FIRE DEBRIS ON PRIVATE PROPERTY LOCATED AT 250/260 MAIN STREET-APNs 001-136-10, 001-136-09, AND 230 MAIN STREET-APN 001-136-08: THIS ITEM WILL INVOLVE DISCUSSION AND POSSIBLE ACTION INVOLVING COORDINATION BETWEEN THE COUNTY AND OTHER ENTITIES, INCLUDING PRIVATE CITIZENS, CONTRIBUTION OF EQUIPMENT AND LABOR; SOLICITATION OF DONATIONS; WAIVER OF DUMP FEES; AND TESTING OF DEBRIS FOR LEAD AND

ASBESTOS – Mr. Shields stated that he spoke with Judge Wagner, who met with one of the property owners involved and is reaching out to the other owner for further cleanup discussions. Mr. Rackley mentioned that he thought one of the mines would be donating money, and it was asked if some of that donation could be used to reimburse the County for dump fees of about \$5,000.00. There is a pending EPA study regarding lead and asbestos in the debris and Mr. Shields advised that the County stay out of the cleanup project until those results are back. Mr. Shields stated that private people and local business and the mines have all really stepped up to help with the cleanup. Mr. McDougal stated that he has a problem with further cleanup by the County beyond what has already been done. He was all in favor of the cleanup that has been done so far as that has all been done for innocent bystanders, people whose land and buildings were damaged because of the main fire. But as far as further cleanup, he feels that the property owner should be responsible, whether by private pay or by an insurance claim. He stated that there should be a lien placed on the property if the County or another entity must do the cleanup. Mr. Rackley stated that the property owner where the fire started did not have insurance.

ACCEPTANCE OF CARES RELIEF FUNDS IN THE AMOUNT OF APPROXIMATELY \$933,000.00 TO BE SPENT ON COVID-19 UNBUDGETED EXPENSES; APPROVAL TO SIGN REQUIRED AGREEMENTS AND CERTIFICATIONS TO ACCEPT THESE FUNDS; APPROVAL OF EXPENDITURE PLAN; UPDATE FROM EMERGENCY OPERATIONS AND RE-EVALUATION OF RESOLUTION 20-03-02, DECLARATION OF EMERGENCY RELATING TO THE COVID-19 (CORONAVIRUS); DISCUSSION REGARDING ECONOMIC RECOVERY FOR PERSHING COUNTY; DISCUSSION REGARDING IMPACT TO THE PERSHING COUNTY BUDGET FOR FY2020-2021: Mrs.

Shank stated that she believes the amount is actually \$894,293.00. She needs an approval accepting the funds from the State and needs the necessary agreements signed to do so. Mrs. Shank stated that as far as she knows the only county that has refused the funds is Lander. Mrs. Shank presented a tentative schedule of expenditures just to make sure that we have the need for the funds, and she stated they would be easily spent. Mr. Rackley asked Mr. Shields if there were any issues with accepting the funds and Mr. Shields stated no, and advised that we first accept the funds and then decide how to spend them.

Mr. McDougal made a motion to accept the funds of approximately \$933,000.00 for COVID-19 expenses, seconded by Mr. Rackley, motion carried.

The board recessed at for a Litigation meeting at 9:55 a.m. and reconvened at 10:00 a.m.

PLANNING & BUILDING: James Evans was present.

They haven't gotten the pump and motor replaced in Imlay yet. They've had a hard time finding the correct parts to order so it's taking longer than anticipated. Mrs. Shank stated that it looks like they have been staying very busy with permits. Mr. McDougal thanked Mr. Evans for working with the District Attorney's office and the Code Enforcement department. Mrs. Shank thanked Mr. Evans for helping with copies for a booklet for the Unionville cemetery. Mr. Evans will be helping the Road Department with their chip seal project in Grass Valley.

Mrs. Shank recessed the Commission meeting and Mr. Evans opened the Liquor Board meeting at 10:05 a.m.

REPORT FROM LEGAL COUNCIL: Mr. Shields was present.

He stated that he will not be at the next Commissioner meeting and that Mr. Banks will be covering. Mr. Shields wanted to explain the MRAP vehicle that is on loan to the Sheriff's Office. He explained the difference between controlled and uncontrolled property that comes from the Department of Defense. Because the vehicle is controlled property it's not something that can be sold, which is why

it's essentially on loan to the department. There were some questions about licensing the vehicle, because it isn't actually owned by the County. Mrs. Childs stated that the vehicle will be on our inventory as long as it is in our possession.

Mr. Shields stated that Lovelock Police Department is down to 2 officers, soon to be one, who is the Chief and can retire at any time. There have been discussions about the Sheriff's office absorbing the City Police Department. Sheriff Allen submitted a budget of what he assumes the cost would be, but it was twice what the City currently spends on law enforcement. Mr. Shields stated that ultimately the Board approves the budget and only they can enter into an agreement with the City to provide police protection in the City through the Sheriff's Office. Mr. Shields stated that they need to schedule a joint meeting to discuss this further because this change is imminent.

REPORT FROM ADMINISTRATIVE ASSISTANT: Karen Wesner was present.

Mrs. Wesner stated that because the Legislature is in session, she's getting a lot of BDR (Bill Draft Requests) requests and is forwarding those to the various departments.

MATTERS OF THE BOARD FOR DISCUSSION, BOARD MEMBER REPORTS, BOARD LIAISON REPORTS: Mr. McDougal asked to request a City-County meeting for August 26th at 6:00 p.m. or during the day depending on the City Council's schedule. He also stated that the PCEDA meeting was cancelled. The Rec Board meeting for this month was also cancelled. Mr. Rackley had nothing to discuss. Mrs. Shank has had phone and Zoom calls about COVID-19 and with NACO (Nevada Association of County Officials) about the special session.

PUBLIC COMMENT: Mr. Shields stated that regarding the Sheriff's absorption of the City Police Department, the Board requests a copy of the proposed budget that the Sheriff compiled and the actual budget from the City for Law Enforcement. Mr. McDougal wanted to point out that the Sheriff's office is currently down 6 positions and we may not have the manpower to cover.

APPROVAL OF VOUCHERS: Mr. Rackley made a motion to approve the vouchers, seconded by Mr. McDougal, motion carried.

Meeting Adjourned at 10:34 a.m.

Approved 9/02/20: _____/s/_____
Carol Shank, Chairwoman

Attest: _____/s/_____
Lacey Donaldson, Clerk