

FEBRUARY 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; Bryce Shields, District Attorney; Karen Wesner, Administrative Assistant; and Lacey Donaldson, Clerk.

APPROVAL OF MINUTES: Mr. McDougal made a motion to approve the regular meeting minutes from December 18, 2019 as submitted, noting that they were submitted at 48 days. Motion seconded by Mr. Rackley and passed.

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. McDougal made a motion that no agenda items impose a direct and significant economic burden on a business or directly restrict the formation, operation or expansion of a business. Motion seconded by Mr. Rackley and passed.

UNCLASSIFIED DEPARTMENTS:

ROAD DEPARTMENT – Dan Hill was present.

Mr. Hill thanked the Commission for passing the Diesel Fuel Tax increase. The revenue is much needed and will go to good use.

Mr. Hill reported that the crew is attending a traffic control class today. Next week there is a two day class in Reno for paving project management that Mr. Hill, Mr. Monroe and Mr. Machado will be attending.

The crew has also been cleaning up weeds at Rye Patch and the Bingo area. Once they are all cleaned up, they are going to put some sterilant down. Mr. Monroe has been blading on the backside of Rye Patch. The MSHA (Mine Safety and Health Administration) refresher training has been completed. Mr. Machado and Mr. Blondheim were blading near Home Station when they came across a huge mass of tumbleweed. They were clearing the tumbleweeds off the road and Mr. Machado got his blade stuck. Mr. Monroe is out there today helping pull him out. Mr. Hill also reported that most of the major roads in the Grass Valley area have been bladed. Mr. Hill has also been working on the budget and researching prices for some items that need to be purchased.

Mrs. Shank stated that at the Grass Valley Advisory Board meeting in January, everyone was very complimentary to the work the Road Department does in the area.

Mr. Rackley just spoke with someone in Humboldt County and wanted to inform the Board that they have started the public hearing phase of proposing the diesel fuel tax increase in Humboldt County.

LANDFILL – Dan Hill was present.

Mr. Hill reported that the crew cleaned up the Grass Valley Transfer site. Mr. Hill has been working on budgets and Mr. Nielsen would like to budget for a 10-wheeler.

Request to go to bid for drilling/blasting at the Landfill: It was noted that this is included in the current budget.

Mr. Rackley made a motion to approve going to bid for drilling/blasting at the Landfill. Motion seconded by Mr. McDougal and passed.

BUILDINGS AND GROUNDS – John Handka was present.

Mr. Handka reported that crew and jail trustees emptied out the Law Library in preparation for the remodel.

DA's office, Justice Court, and Courthouse staff request for approval of a change-order for the remodel of the Law Library area increasing the dimensions of the copy room/mail room and decreasing the size of the attorney/client conference rooms to allow for adequate space for the copy room/mail room and concerns with the Courthouse employees break room: Mrs. Shank stated that Mrs. Wesner has been working with staff to alleviate any issues. Mrs. Wesner stated that she feels they have reached a compromise for the space that is available.

Mr. McDougal wondered if two conference rooms were necessary or if we should be trying to meet the needs of the employees by creating a decent break room, which would include the copy machine, etc. Mrs. Shank expressed some concern about having office equipment in the break room. Mr. McDougal stated that there isn't currently a break room at all; the break room is in a building entrance. Mr. Shields stated that the funding from Justice Court can't be used to remodel a break room. Mr. McDougal stated that the County is contributing 2/3s of the funding for the project.

Mr. Rackley asked Judge Stephens how she feels about eliminating one of the conference rooms. Judge Stephens stated that there is court held almost every day of the week, so two would definitely be used, but she doesn't know how often. Judge Stephens was also concerned that there would be a camera in the break room. Mrs. Shank stated that there would be no audio on the camera.

Mr. Shields stated that the concern he has heard from his staff is that criminal defendants are brought through the current break room. Putting the break room in front of the conference room wouldn't alleviate that concern. He also stated that he doesn't understand how this was discussed for months, bids were received, the contractor is coming tomorrow and suddenly concerns are being raised.

Mr. McDougal suggested proceeding with the current layout and see what the demand for the space is. If one conference room is all that is needed, the rooms can be rearranged.

Mr. McDougal made a motion to adjust the Law Library remodel enlarging the copy room as presented.

Sandra Arias asked if they have measured the space to see if everything fits. Mrs. Shank stated that she thought it had been done. Mrs. Wesner stated that she did, and it will be a tight fit.

Mrs. Childs asked about the funding as this project is not on the Capital Improvements List. Mrs. Shank stated that the Capital Improvement List will need to be adjusted to accommodate this project.

Mr. Rackley seconded the motion. Motion carried.

Mr. Handka also spoke about the problem with the heat in the Courthouse. They are working to get it repaired. He also informed the Board that the propane has been turned off in the Airport building. The crew is also preparing for the Valentine's Day Balloon event.

SENIOR CENTER / VOLUNTEER COORDINATOR – Jordan McKinney was present.

Mrs. McKinney reported that she is working on her grant application for Transportation. This grant funds fuel for the vans, maintenance, drivers, etc. The Birdhouse Raffle is on May 1st. They are currently selling raffle tickets for the Courthouse Birdhouse at Temptations. Breakfast is on February 28th. Mrs. McKinney also stated that she is still the High School Softball coach and the season starts on February 24th.

**PERSHING COUNTY FIRE AND AMBULANCE –
AMBULANCE REPORT:** Chief Wilcox was present.

The Ambulance Department has been very busy. There is a Train-the-Trainer class starting Friday. There will be a 40 hour EMT (Emergency Medical Technician) class starting in March. Mrs. Nolan is working to get everyone recertified.

Mr. McDougal asked if they have received any interest in another entity taking over the ambulance service. Chief Wilcox stated that there is one group that has expressed interest, but they haven't gotten any figures yet. Chief Wilcox thinks that it will be very expensive. He also stated that he is working some things into the budget to try to alleviate some of the problems they have had.

LOVELOCK FIRE: Chief Wilcox stated that they are approved for 30 members, but can't seem to get past 24. They just completed an awareness class put on by Mike Heidemann. Mr. Heidemann will also be doing an operation class sometime this year. As of today, everyone on the Department should have their F Endorsement on their driver's license. Two members have finished the exterior firefighter program, leaving two more that need to take it.

Chief Wilcox wanted to publicly thank his crew. He was out of town for almost a month and everything ran smoothly.

Mike Heidemann reported that the AFG (Assistance to Firefighters) grant opened this week. He would like approval to submit a grant application in the amount of \$393,250.00. Mrs. Shank stated that it will have to be put on an agenda. Mr. Heidemann would like it on the March 4th agenda. Mrs. Shank instructed Mr. Heidemann to get the information to Mrs. Wesner. It was noted that it requires 5% matching funds. Mr. Heidemann also stated that he received the quote from Staci Bristow for the remote and will turn that grant application into POOL/PACT. Sean Burke is working on a quote for reflective jackets as well.

Mr. Shields spoke about fire inspections. He stated that he wasn't sure the County ever decided how the fire inspections would be paid for. Mrs. Shank agreed, stating that an MOU (Memorandum of Understanding) between Pershing County and the Lovelock Fire Department is needed. Mr. Shields stated that the MOU is for the Fire Department to provide firefighting services. Mr. Shields understood that the Board wanted additional language in the MOU to provide for fire inspections. Mrs. Shank thought those two things would be in separate agreements. Chief Wilcox stated that they had discussed raising the Business License fee to cover the fire inspections. Mr. Shields stated that when his office reached out to the local business owners about increasing the Business License fee, the overwhelming response was opposed, as they have private insurance that provides fire inspections. Mrs. Shank will meet with Mr. Shields and Chief Wilcox to further discuss fire inspections.

BID AWARD, PERSHING COUNTY CHIP SEAL OIL BID AND PERSHING COUNTY MAG CHLORIDE BID: The bids closed yesterday at 9:00 a.m. Only one bid was received for each project. They were opened yesterday at 9:05 a.m. by Commissioner Rackley, Dan Hill, Karen Wesner and Rachel King.

Mr. McDougal made a motion to accept the bid from Sierra Nevada Construction in the amount of \$395,367.75 for the Pershing County Chip Seal Oil Project, being the lowest, most responsive bid. Motion seconded by Mr. Rackley and passed.

Mr. Hill stated that we haven't gone to bid on Mag Chloride in the past as there was only one company that provided it. The bid that was received is a bit cheaper than last year's price. Mr. Hill also stated that he spoke with Dustbusters and an error was made on the tonnage, but they will honor what they quoted.

Mr. McDougal made a motion to accept the bid from Dustbusters Enterprises for Magnesium Chloride in the amount of \$48,142.50, being the lowest, most responsive bid. Motion seconded by Mr. Rackley and passed.

It was noted that a bid from EnviroTech Services was received too late to be opened.

UNCLASSIFIED DEPARTMENTS, CONT.D:

COMMUNITY CENTER – Mrs. McKay was unable to attend, but the Board received a written report.

COOPERATIVE EXTENSION – Steve Foster was present.

Mr. Foster reported that there are a couple webinars coming up if anyone is interested. At the Cattlemen's Update, Mr. Foster gave a presentation on the market outlook, new regulations, and imitation meat. Mr. Foster stated that there are new training regulations for anyone spraying Paraquat or Gramoxone, in addition to the regular pesticide training. Mr. Foster is planning on including this

information in his pesticide training on March 20th. Mr. Foster will also be giving a presentation on trends in Hemp production in Nevada at the Ag Policy workshop in Fallon on March 30th. Mr. Foster will also be doing pesticide training in Kings River on March 11th. The Lion's Club will be holding their annual Rural/Urban Night on February 24th.

Mr. Foster also reported that Joshua McKinney resigned as of January 13th. Mr. Foster started advertising for the position on January 20th and does have some prospective candidates that could be hired at a higher rate. He has to have permission from the University to fill the position at the higher rate, which he was told could take two additional weeks. Once it is approved, he will post the position again.

Mr. Foster has been busy working on employee evaluations and budget prep. He has submitted his budget sheets to Mrs. Childs and to the University Administration. Mr. Foster also reported that Ann Lindsey, the Nutrition and Health Specialist, has applied for the services and support for older adults, people with disabilities and caretakers grant. The grant would fund a position for the Nevada Care Connection and Medicare Assistance Program. Mr. Foster spoke with Jordan McKinney, Senior Center Director, about it and if they are successful the position could be housed at the Senior Center.

Mr. McDougal asked if a Commissioner would be invited to participate in the interviews for the 4-H position. Mr. Foster stated that they are welcome to participate and thinks the interviews should take place the later part of February. Mr. McDougal also asked when the Livestock Show is scheduled. Mr. Foster is not sure as he thinks they moved the dates for NJLS (Nevada Junior Livestock Show) again, which would affect our date.

IT DEPARTMENT – Justin Abbott was present.

Mr. Abbott reported that he has found a ticket report that breaks incidents out by department, so he will have that for the next meeting. The DHS (Department of Homeland Security) Cyber Security scans, initiated by the Nevada Secretary of State, should be completed today. The next phase is a phishing assessment. The testing seems to be going well.

Mr. Abbott reported that he is still waiting for quote on the Windows 10 upgrade, but should have it for the next meeting. The sign-ups for the Windows 365 training should go out by the end of the week and will be held at the High School. Mr. Abbott also spoke about the bill that would require all government entities to have a “dot gov” web address.

PUBLIC DEFENDER – Steve Cochran was present.

The Board received a written report.

Authorization for the Pershing County Public Defender to either refer prison inmate cases to the State of Nevada or bill the State of Nevada for legal services, pursuant to NRS 212.070: Mr. Cochran stated that he is completely indifferent regarding this. Mr. Shields stated that we can bill for the last six months, but doesn't see why we shouldn't try submitting a bill for the entire time.

Mr. McDougal made a motion to approve billing the State of Nevada for prison inmate cases pursuant to NRS 212.070. Motion seconded by Mr. Rackley and passed.

ELECTED DEPARTMENTS:

LACEY DONALDSON, CLERK-TREASURER – Mrs. Donaldson didn't have anything to report. Regarding the corrections/changes to the Tax Roll, they have all been sent to Devnet and they are working on correcting them on their side until the functionality is available on our side.

RENE CHILDS, RECORDER-AUDITOR – Mrs. Childs gave the Board the monthly fund balance report.

The meeting recessed at 9:43 a.m. and reconvened at 9:48 a.m.

LAUREEN BASSO-CERINI, ASSESSOR – Ms. Basso-Cerini stated that her staff is just taking it one day at a time. Several Assessors' offices have been given an extension by the Department of Taxation on submitting their Segregation Report.

Proposal from Farr West Engineering for surveying and mapping services, record data, boundary survey in the amount of \$3,000.00: Mr. Shields stated that this map shouldn't have been recorded in the 90s as there was no survey completed. He explained that a property owner had their property surveyed and that map couldn't be recorded as it threw-off all the other properties. It was noted that this is not a Tech Fee expense. Mrs. Childs recommended charging the expense to General Government.

Mr. McDougal made a motion to approve the proposal from Farr West Engineering for surveying and mapping services, record data, and a boundary survey in the amount of \$3,000.00, with the expense coming out of the General Fund, General Government line item. Motion seconded by Mr. Rackley and passed.

Mrs. Shank asked about the county decal for the Jeep. Ms. Basso-Cerini stated that a heated shop is needed to properly install the decal and it hasn't been a priority for her.

BRYCE SHELDS, DISTRICT ATTORNEY – *Request for approval of a 12 month contract for 1 user license of CLEAR Proflex products by Thomson Reuters for the Child Support Division:*

Mr. Rackley made a motion to approve the 12 month contract for 1 user license of CLEAR Proflex Products by Thomson Reuters for the Childs Support Division in the amount of \$2,238.60. Motion seconded by Mr. McDougal and passed.

Mr. Shields wanted it to be clear that he was not making decisions regarding the Law Library remodel. He would like the Board to leave the door open to discussion on creating a proper break room for staff. The District Court Judge took the previous break room without this board's knowledge, leaving them with a break room that is uncomfortable. He also feels the Board was led astray when one judge decided not to contribute funding.

PLANNING AND BUILDING DEPARTMENT / IMLAY WATER / PECU: James Evans was present.

Mr. Evans gave the Board his monthly permits issued, and fees collected report. He stated that there is a Planning Commission meeting tonight to discuss the sPower project. Mr. Evans also reported that he read meters yesterday and took the water samples to Reno.

JERRY ALLEN, SHERIFF: Sheriff Allen reported that the newest hire is almost ready to be sent on patrol. The Jail is currently at 65% capacity, with 17 inmates. They were holding three inmates for another entity that will be transported elsewhere. Sheriff Allen stated that he still has an employee out on Worker's Comp. Some issues have risen regarding his work release, so Sheriff Allen would like to meet with the District Attorney, Payroll and HR to try to rectify the issues.

APPROVAL FOR OUT OF STATE TRAVEL AND HIGHER HOTEL ROOM RATE FOR (3) DEPUTIES TO ATTEND TASER INSTRUCTOR CERTIFICATION TRAINING IN DUBLIN, CA MARCH 15-17, 2020 – Sheriff Allen stated that this item is no longer needed as the class is full. Sheriff Allen will be looking for another class.

Sheriff Allen asked what the status of the Business License function moving to the Planning Department is. The Board stated that the transition can occur at any time. Mrs. Shank asked about the software. The new software has not been installed, but Mr. Evans stated that they are as ready as they can be with what they have.

Sheriff Allen also spoke about Burning Man, stating that contract discussion for 2023 needs to start as soon as possible.

UPDATE ON PROGRESS OF SITE LOCATION, DESIGN, FUNDING, AMENITIES AND CONSTRUCTION OF FUTURE LAW ENFORCEMENT CENTER: Mr. Rackley stated that he and Sheriff Allen toured five sites and have come up with a priority list. The first is Steve Young's property, but the price has increased. The second property is in the Industrial Park, but is not a very convenient location. The third is on Franklin Avenue between 8th and 9th Street, fourth is on Cornell next to the church and the fifth is on Amhurst, past the skate park.

Mrs. Shank stated that the Windmill property is available for \$185,000 and is adjacent to the current Law Enforcement Center. She also stated that the feelings expressed by the community is they would like the Jail to stay where it is. Mr. McDougal also stated that the assessment of the property could be done with Brownfield funds. Sheriff Allen felt this would be a good option. An item will be placed on the next agenda to discuss and possibly move forward on the Windmill property.

Mr. Evans stated that there is a portion of that property that is on the State right of way.

BOARD APPOINTMENTS: PLANNING COMMISSION RESIGNATION – A letter was received from Kim Klemish of Grass Valley resigning from the Planning Commission.

Mr. Rackley made a motion to accept the resignation of Kim Klemish from the Planning Commission. Motion seconded by Mr. McDougal and passed.

PERSHING COUNTY ECONOMIC DEVELOPMENT AUTHORITY – A letter was received from Tori Apperson expressing her interest in serving on the PCEDA Board.

Mr. McDougal made a motion to appoint Tori Apperson to the Pershing County Economic Development Authority Board. Motion seconded by Mr. Rackley and passed.

IMLAY ACTION ALLIANCE: REQUEST FOR A TOWN HALL MEETING IN IMLAY ON ONE OF THE FOLLOWING DATES: FEBRUARY 18, 19 OR 20, 2020 – Mr. McDougal prefers February 18th. Mr. Rackley is not available on the 19th or 20th. The Board will offer to hold a Town Hall in Imlay on February 18th at 6:00 p.m.

Mrs. Shank stated that they also haven't had a meeting in Rye Patch in quite some time. Mr. McDougal suggested March 3rd. Mrs. Wesner will reach out to someone in Rye Patch to try to set it up. Carolyn Hultgren suggested working with Georgia Morgan of the Humboldt River Ranch Homeowner's Association.

PROCLAMATIONS AND AWARDS: There were no proclamations or awards considered.

DERBY FIELD AIRPORT: No report was given.

GARRETT KALT, NV 2020 CENSUS: NEVADA 2020 CENSUS, COUNTING PERSHING COUNTY; NEVADA 2020 CENSUS PROCLAMATION, NEVADA 2020 CENSUS COMPLETE COUNTY COMMITTEE MINI-GRANTS; NEVADA COMPLETE COUNTY COMMITTEE PARTNERSHIP SUPPORT GRANT PROGRAM – This item will be put back on the next agenda.

LEVY OF SPECIAL ASSESSMENTS ON THE WATER RIGHT HOLDERS WITHIN THE GROUNDWATER BASINS AS DIRECTED BY THE NEVADA STATE WATER ENGINEERS OFFICE PURSUANT TO NRS 534.040 (3) FOR THE FISCAL YEAR JULY 1, 2020 TO JUNE 30, 2021: HUALAPAI FLAT \$449.83, BLACK ROCK DESERT \$95.30, DESERT VALLEY \$4.07, GRASS VALLEY \$14,710.94, IMLAY AREA \$7,456.32, DIXIE VALLEY \$349.30, BUENA VISTA VALLEY \$4,756.72, BUFFALO VALLEY \$997.11, AND LOVELOCK VALLEY \$11,174.62 ALL WITHIN PERSHING COUNTY IN THE AMOUNT OF \$39,994.22 – Mr. McDougal made a motion to levy the Special Assessments on the water right holders within the groundwater basins

as directed by the Nevada State Water Engineers office pursuant to NRS 534.040(3) for Fiscal Year July 1, 2020 to June 30, 2021 as presented. Motion seconded by Mr. Rackley and passed.

APPROVAL OF A COMPACT WITH NEVADA DEPARTMENT OF MOTOR VEHICLE DIVISION FOR THE COLLECTION AND DISTRIBUTION OF TAXES ON DIESEL FUEL FOR PERSHING COUNTY: Mr. Shields stated that he and Mrs. Donaldson have been working with a representative from DMV. She has informed us that the contract should be ready for the next meeting.

The meeting recessed for a Litigation meeting at 10:36 a.m. and reconvened at 11:10 a.m.

APPROVAL FOR SHERIFF ALLEN TO JOIN THE NEVADANS CAN LAWSUIT SEEKING AN INJUNCTION AND DECLARATORY RELIEF OF AB 291, RED FLAG LAW IN HIS OFFICIAL CAPACITY AS SHERIFF OF PERSHING COUNTY, NEVADA AND PERSHING COUNTY COMMISSION RESOLUTION SUPPORTING THE LAWSUIT: Mrs. Shank stated that they consulted with an attorney during the Litigation meeting. Mr. McDougal stated that Sheriff Allen, in his official capacity, cannot join the lawsuit without the Commission's support. Mr. McDougal stated he thinks this is an egregious law and would support joining the lawsuit. Mrs. Shank and Mr. Rackley agreed.

Mr. McDougal made a motion to direct DA Shields to move forward with joining the Nevadans Can Lawsuit on behalf of Pershing County. Motion seconded by Mr. Rackley and passed.

Sheriff Allen stated that he appreciates the support of the Commission.

The meeting recessed at 11:15 a.m. to continue the Litigation meeting and reconvened at 11:19 a.m.

REPORT FROM ADMINISTRATIVE ASSISTANT/HR REP: SET POSSIBLE DATES FOR CITY/COUNTY JOINT MEETING – Mrs. Wesner stated that last year they held the meeting prior to the City's regular first meeting in March. The Board thought that was a good idea and will re-look at dates for the Rye Patch meeting.

SET MEETING DATES FOR BUDGET WORKSHOPS – The Board agreed on all day on March 16th and 17th and in the afternoon of March 18th after the regular Commission meeting. March 25th was also selected.

Mrs. Wesner also received a notice from the Nevada Tax Commission regarding Pershing County's waiver for Guaranteed City/County Relief Tax. She will put an item on the next agenda to discuss and possibly approve.

ITEMS FOR FUTURE AGENDAS: Mr. Rackley mentioned the number of billboards that continue to be erected. An item will be put on the next agenda for further discussion.

CORRESPONDENCE: There was no additional correspondence discussed.

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

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

DISCUSSION/APPROVAL OF THE CONSIDERATION (EXCHANGE IN VALUE) AND SPECIFIC TERMS OF A TOWER CO-LOCATION AGREEMENT BETWEEN NNIS AND

PERSHING COUNTY UNDER WHICH THE COUNTY WOULD PERMIT NNIS TO LOCATE TELECOMMUNICATIONS ANTENNAE ON EXISTING TOWERS LOCATED ON COUNTY PROPERTY AT TOULON PEAK; ISSUES RELATING TO ACCESS OF COUNTY BUILDINGS AND OTHER COUNTY PROPERTY AT TOULON PEAK: Mr. Rackley stated that NNIS already has telecommunications antennae on existing towers located on county property. Mrs. Shank stated that we don't have an agreement with NNIS and approval to place the antennae never came before the Board.

Mr. McDougal made a motion to approve directing Mr. Shields to work on an agreement with NNIS. Motion seconded by Mr. Rackley and passed.

Mrs. Shank asked if Buildings and Grounds has access to the building at Toulon Peak. Mr. Rackley stated that there isn't a need for Buildings and Grounds to access the building. She also asked about other county buildings. Mr. Shields asked why Buildings and Grounds doesn't have access to county property. Mr. Shields stated that Buildings and Grounds oversees maintenance of all county property and should have access. Mr. Shields stated that the County Commission should decide whether access is allowed. Mr. McDougal suggested that a list of people with access to the building be given to Mrs. Wesner.

MATTERS OF THE BOARD FOR DISCUSSION, BOARD MEMBER REPORTS, BOARD LIAISON REPORTS: Mr. Rackley stated that all his meetings are coming up. Mr. McDougal will be presenting at the Water Resource Plan Workshop sponsored by NACO on Friday. He will be in Las Vegas most of the following week attending the Nevada Water Resources Association Conference. Mrs. Shank stated that all her meetings are upcoming as well.

PUBLIC INPUT: Debra Reed asked for a channel guide.

As there was nothing further to come before the Board, the meeting adjourned at 11:50 a.m.

Approved 3/18/20: _____ /s/
Carol Shank, Chairwoman

Attest: _____ /s/
Lacey Donaldson, Clerk