

**SPECIAL MEETING
JUNE 18, 2021**

The meeting was called to order at 8:00 a.m. by Larry Rackley, Chairman. Those present were Shayla Hudson and Carol Shank, Commissioners; Bryce Shields, District Attorney; Karen Wesner, Administrative Assistant; Lacey Donaldson, Clerk; and Justin Abbott, IT.

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

PUBLIC HEARING: PROPOSED ORDINANCE AMENDING CHAPTER 13.06, LANDFILL ASSESSMENTS, OF THE PERSHING COUNTY CODE, TO INCREASE THE BASE RATE OF LANDFILL ASSESSMENTS FROM \$10 EACH MONTH TO \$12.00 AND \$13.00 EACH MONTH IN LOVELOCK AND NON-INCORPORATED AREAS OF PERSHING COUNTY, RESPECTIVELY. THE \$12.00 AND \$13.00 BASE RATE ASSESSMENTS MAY BE CALCULATED BY APPLYING A RESIDENTIAL EQUIVALENCY MULTIPLIER, DEPENDING ON THE PROPERTIES USE, RANGING FROM 1 FOR LOW WASTE GENERATING USES TO 10 FOR HIGH WASTE GENERATING USES; RESOLUTION ADOPTING THE RESIDENTIAL EQUIVALENT MULTIPLIER – Lauri Basso-Cerini, Assessor, asked for clarification regarding the multiplier. Mr. Shields stated that it is the same principal as the previous ordinance, just with an increase. Ms. Basso-Cerini also asked for clarification regarding “lot”, as Mr. Shields stated that all vacant lots would be assessed \$20. “Parcel” will be added. Morgan Root, Appraiser, asked how the multipliers were established. Mr. Shields stated that it came from the previous ordinance as well as neighboring counties. Mr. Shields also wanted the record to reflect that this increase is being proposed because the Landfill is running in the red and using money from the General Fund.

Mrs. Shank made a motion to adopt Ordinance #349, increasing the base rate of Landfill Assessments and Resolution #21-0607, adopting the Residential Equivalent Multiplier. Motion seconded by Mrs. Hudson and passed unanimously.

Ms. Basso-Cerini asked about ag land and grazing parcels receiving the vacant land assessment. Mr. Shields didn't think that was appropriate. Mrs. Wesner stated that ag properties aren't making an impact on the Landfill.

Mrs. Shank made a motion amending the previous motion to strike #8 on the last page to not include vacant lot – clean. Motion seconded by Mrs. Hudson and passed.

DISCUSSION REGARDING REIMBURSEMENT OF COST TO PERSHING COUNTY FOR USE OF EQUIPMENT AND STAFF IN THE CLEAN-UP OF THE FIRE DEBRIS ON PARCELS #001-136-10, 260 MAIN STREET, 001-136-09, 250 MAIN STREET, AND 001-136-08, 230 MAIN STREET; BILLING PROPERTY OWNERS, FILING A LIEN AND DISCUSSION REGARDING COST OF LANDFILL FEES FOR CLEAN-UP (TOTAL COST \$20,621.00): Mr. Rackley stated that the County's labor and equipment costs were \$10,621.00 and the Landfill fees amounted to \$10,000.00. This would equate to \$6,873.67 per parcel.

Mrs. Shank stated that she doesn't understand why this was put on the agenda. On May 19, 2021 there was a request to waive the fees and the County agreed to help in any way they could. Mr. Rackley stated that the motion made that day did not include waiving the fees.

Mrs. Shank made a motion to waive the dump fees, labor costs, and any other charges relative to the clean-up.

Mr. Rackley was upset that a motion was made without any further discussion. Mrs. Shank stated that it wasn't right to go back after the fact and charge the property owners. Mr. Rackley would like to file a lien. He doesn't believe the taxpayers of the county should have to pay for the clean-up. Mrs. Shank stated that the clean-up was a community effort that took 18 months to get done, when

another entity didn't follow through. Other businesses donated their time and equipment as well. She stated that the owners wouldn't have signed the liability waivers to get it cleaned up if they knew they were going to have to pay for it. Mr. Rackley stated that those agreements weren't with the County. He also stated he has received several calls from community members upset that they have to bear the burden to clean it up. The property owners should bear that responsibility. Mrs. Shank stated that none of those people have come forward in a meeting to express their concern. She also stated that, whether it was said in the motion or not, the understanding was that fees would be waived. Mr. Rackley agreed that other people and businesses volunteered their time and equipment, but that doesn't mean the County has to bear that burden.

Mrs. Shank questioned if the Fire Department billed the property owners for putting out the fire, and if we billed the property owner for cleaning the debris off the corner lot. We did not. Mrs. Shank stated that it wasn't that property owner's fault the debris was placed on his lot. She stated that her motion stands.

Mrs. Hudson has a problem with Mrs. Shank placing the blame on an entity that did try to rectify the situation. The lack of cooperation was from the property owners. If the property owners would have cooperated, it would have been at no cost as NDEP (Nevada Division of Environmental Protection) would have covered it. When this came before the Board in May, Mrs. Hudson also wanted the property to be liened. The County should not be on the hook for those dump fees.

Mrs. Shank asked what the process was for filing a lien. Mr. Shields explained that a lien can be filed for unpaid assessments, with the document recorded in the Recorder's office. He also spoke about notification. His concern is that the property owners would be notified after the fact. Had the property owners not entered into agreements with third parties to clean it up, it wouldn't have been done. The City of Lovelock failed to abate the property; however, he believes the City did the right thing as the property owners were victims of crime. He also doesn't feel the property owners should be accused of lack of cooperation as there are two sides to the story. Mrs. Hudson stated that it is the property owner's responsibility to have insurance. Mr. Shields agreed that they should have insurance, but that doesn't change things. The responsibility of government is to help people out and make communities better. This is Pershing County's opportunity to do that by waiving the fees.

Mrs. Hudson made a motion to postpone action until Mrs. Shank explores other funding options to cover the County's costs. She would like this put back on the agenda at a later date. Mrs. Shank seconded the motion. Mr. Rackley opposed in solidarity of the residents of the County. Motion carried.

PUBLIC INPUT: Judge Richard Wagner stated that the Commission did not take any action to try to clean up the property, it was only done through community member efforts. The community needs leaders. Judge Wagner was upset that the Board would even suggest liening the property.

As there was nothing further to come before the Board, the meeting adjourned at 8:58 a.m.

Approved 7/21/21: _____ /s/
Larry Rackley, Chairman

Attest: _____ /s/
Lacey Donaldson, Clerk