

FEBRUARY 15, 2017

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: There were no minutes submitted for approval.

PUBLIC INPUT: Commissioner McDougal spoke on behalf of McDougal Livestock Company and Nevada Nile Ranch. He stated that McDougal Livestock Company owns a small parcel of land in the Industrial Park located north of the City's shop and sewer plant. If the County is interested in this parcel for a new law enforcement center, they would be willing to offer it for \$1.00. Mr. McDougal thought the parcel was approximately one acre.

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 thought that agenda items #10 and #11 regarding a possible moratorium on recreational marijuana establishments would fall under this category and made a motion to that effect. Motion seconded by Mr. Rackley and passed.

KAREN STEPHENS, JUSTICE COURT: UPDATE – Judge Stephens reported that she is working on getting a quote to reconfigure the front office. She would like to cut back the counter, build a wall and install safety glass. Judge Stephens will continue coordinating with Mr. Handka on the project as well.

REQUEST FOR JUSTICE OF THE PEACE, KAREN STEPHENS, TO HAVE THE SAME SALARY LONGEVITY INCREASE AS OTHER ELECTED OFFICIALS RECEIVE – Mrs. Shank asked Judge Stephens what the basis for this request is. Mrs. Shank also explained that other County Elected Officials, per NRS 245.044, receive longevity after they have served for more than four years. She also stated that there is an Attorney General's Opinion that states that Justices of the peace are not entitled to payment for longevity.

Judge Stephens stated that the previous Justice of the peace received longevity. Mrs. Childs stated that she did some research and Judge Nelson did not receive longevity. Judge Stephens stated that she was told that Judge Nelson went before the Commission and was granted longevity pay. Mrs. Childs stated that the increase granted was in the base pay.

Mr. Shields stated that the AG's Opinion is from 1984. He will do some research and get back to the Board.

Mr. McDougal stated that, conceptually, he doesn't have a problem with this, but wants to make sure it is done right. Mr. Rackley stated that there is a BDR that would revise the time period when the County Commission sets the salary for the Justice of the peace.

UNCLASSIFIED DEPARTMENTS:

ROAD DEPARTMENT – Dan Hill was present.

Mr. Hill reported that they are making progress in Unionville. Mr. Hill had stated in a previous meeting that, with all the damage caused by weather, their main priority was where people lived. Unionville's roads were in pretty bad shape. By the end of today, they should be in good enough shape to last until they can be fixed this summer. Mr. Hill also stated that a lot of the chip sealed roads are falling apart (Muddy Road, Coeur Rochester). They will be up at Coeur tomorrow and hope to get to Muddy the following week. Jersey Valley is 4-wheel drive only again. It washed out over the weekend.

They also sunk a blade at Placeritas and it may be closed indefinitely. Part of Winnemucca Lake Road is closed as well.

LANDFILL – Dan Hill was present.

Mr. Hill reported that he spoke with Mr. Nielsen and he had nothing to report.

Requesting approval to change Landfill Capital Outlay Equipment purchases for 2016-2017 Budget: There is \$20,000 left in their Capital Outlay. Mr. Nielsen would like to purchase a grizzly and a forklift for the Recycling Center. Mr. Hill stated that he would like a grizzly for the Road Department as well, but he thinks they can build one. Mr. Hill will see what he can do before they decide to purchase one.

Mr. McDougal made a motion to approve the change to the Landfill's Capital Outlay purchases, allowing either the purchase or building of a grizzly and the purchase of a used forklift or an alternate piece of equipment for the Recycling Center. Motion seconded by Mr. Rackley and passed.

BUILDINGS AND GROUNDS – John Handka was present.

Mr. Handka reported that the Balloon Race event did not take place as the ground at the ball fields was too wet. The crew has been painting the hallways at the Courthouse. He was using the prison crew, but they have been put on standby due to the flooding. Mr. Handka also reported that he has Oasis Heating and Air here today reconfiguring the heating and a/c in the Public Defender's admin office.

Request by Lovelock Street Fever Car Club to use the Courthouse Park for the car show on June 2-4, 2017: Mr. Handka stated that he has not had any issues with the car show.

Mr. McDougal made a motion to approve Lovelock Street Fever Car Club's request to use the Courthouse Park for the car show June 2-4, 2017. Motion seconded by Mr. Rackley and passed.

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

Approval to purchase new audio visual system and to send out letters to various companies/nonprofit organizations for funding assistance: Mrs. Lusby-Angvick stated that she would like to send donation request letters to local businesses to help purchase the new system. Mrs. Shank asked if Mrs. Lusby-Angvick had any money in the budget that would help with the purchase. She stated that there is a little, but she has put it in her budget for next year.

Mr. McDougal made a motion to approve Mrs. Lusby-Angvick sending out letters to various companies/nonprofit organizations for funding assistance to purchase a new audio visual system for the Community Center. Motion seconded by Mr. Rackley and passed.

Mr. McDougal stated that at the PCEDA meeting they discussed the value of reviewing the rental rates for the Community Center. The additional revenue could be used for upgrades.

Approval to move the Pershing County Economic Development Office to another location; job descriptions, duties of Economic Development Director (current and future), and how to keep the Community Center staffed: Mrs. Lusby-Angvick stated that she is very cramped for space in her current location. She gave the Board three possible solutions, which included trading spaces with Ag Extension, an office in the Annex Building and an office at City Hall.

Mr. McDougal wondered if Mrs. Lusby-Angvick's current office space could be reconfigured by shifting the walls, etc.

Mrs. Shank gave an overview of how this joint position came about. It was also noted that Mrs. Lusby-Angvick is paid from both the Community Center budget and through Economic Development. Mrs. Shank thinks it might be time to look at separating the positions and putting some focus on tourism as well.

It was decided that this will be discussed during budget workshops.

PERSHING COUNTY FIRE/AMBULANCE –

AMBULANCE: Chief Carmichael stated that Trina Allen was appointed to the EMS (Emergency Medical Services) Coordinator position at last night's meeting. Chief Carmichael stated that she is an EMT (Emergency Medical Technician) Advanced and an instructor.

LOVELOCK FIRE DEPARTMENT: Chief Carmichael stated that they are currently at 20 members, with two resigning. The two that resigned have agreed to be listed as inactive. Chief Carmichael stated that this allows the department to recall them if they are available and needed. They will need to maintain their certificates. Chief Carmichael stated that he will be talking to others who have left the department as well to see if they would be interested in doing the same thing.

Discussion regarding taking funding from Option Tax to fund vehicle and to amend Resolution and discussion regarding changes to Capital Outlay in the 2016-2017 budget: Chief Carmichael stated that the Chief's vehicle has low mileage, but is very old and is not functional for the position. The BLM has a 2012 pickup with 70,000 miles available for \$14,000. Mr. McDougal asked if the current vehicle has any resale value. Chief Carmichael stated that he would like to use it for the Duty Chief or as a first responder vehicle.

Mr. Rackley stated that he spoke with the Department and they are planning on spending the money they allocated in Capital Outlay.

Chief Carmichael stated that he spoke with Charlie Sparke and they may be able to include this in the Hazmat grant, as it would also be used for Hazmat. He also noted that the total cost to purchase and outfit a vehicle would be approximately \$30,000.

The priorities listed in the Option Tax Resolution were discussed. Some of those priorities have been purchased. We purchased three pumper trucks and the yearly payment of \$88,271 will come out of that fund for the next ten years. Mrs. Childs also reported that we are collecting between \$160,000 and \$200,000 a year.

Mrs. Shank would like to move forward with applying for the grant and then this can be discussed further during budgets. Chief Carmichael was concerned that the vehicle would no longer be available. Mrs. Childs stated that the Department still has money available in their budget. Chief Carmichael will work with Mrs. Childs and will put this item back on the agenda when he has some more information from the BLM.

IMLAY FIRE DEPARTMENT: Rodney Wilcox spoke about a fire truck that the Yerington Fire Department has offered to donate to Pershing County. Mr. Wilcox went and looked at it and the tank does leak. Mr. Wilcox called a company in Henderson that rebuilds fire trucks and received an estimate of approximately \$20,000 to replace the tank and go through all the mechanics. This will be put on a future agenda for further discussion.

RYE PATCH FIRE DEPARTMENT: Tom Helms was present.

Mr. Helms stated that they haven't spent the money in their budget as planned. They have a serious issue with their SCBAs (self-contained breathing apparatus). Mr. Helms stated that they are over twenty years old. An item will be put on the next agenda.

PERSHING COUNTY FIRE COORDINATOR REPORT: Mike Heidemann was present.

Discussion on whether or not the position is still needed or should be eliminated: Mr. Heidemann stated that he agrees that the position in its current form is not needed. He spoke about the need for a training coordinator.

Mr. Rackley stated that he met with all the Departments and they all feel the position is not needed. Chief Carmichael submitted a letter to the Board stating that there is not a need for the Fire Coordinator position and he is not in favor of creating a Fire/EMS training coordinator position.

Mr. Rackley made a motion to eliminate the Pershing County Fire Coordinator position effective at the end of the current pay period, which is February 19, 2017. Motion seconded by Mr. McDougal and passed.

LEPC – Charlie Sparke was present.

Approval of EMPG Grant Application due February 17, 2017: Mr. Sparke gave an overview of what the \$25,000 would cover.

Mr. McDougal made a motion to approve the submittal of the Emergency Management Planning Grant in the amount of \$25,000. Motion seconded by Mr. Rackley and passed.

ELECTED DEPARTMENTS:

LACEY DONALDSON, CLERK-TREASURER – Mrs. Donaldson stated that she forwarded some information regarding the replacement of the voting equipment to the Board. She has participated in several conference calls regarding both the replacement of the voting equipment and the ADS software replacement. Mr. McDougal noted that Mrs. Shank has a personal relationship with Secretary Cegavske and asked if she would be willing to speak to her about the matter. Mrs. Shank stated that she would.

Mrs. Donaldson stated that they also sent out courtesy letters to all the delinquent tax payers and are seeing some traffic from that. She also reported that she will not be holding a tax sale this year due to the voting equipment and ADS issues.

RENE CHILDS, RECORDER-AUDITOR – Mrs. Childs gave the Board the ending fund balances for the previous month.

Removal of inventory items (AR0216 Valet Inserter Microfilm/storage unit, SN 1212-1; AR0221 Paymaster Check Signer 828, SN 801450; AR0241 IBM 4230 printer (P-2), SN 01-CJ801: Mrs. Childs stated that these were items that are no longer usable and were taken to the Landfill.

Mr. Rackley made a motion to approve the removal of the items from the Recorder-Auditor's Inventory as requested. Motion seconded by Mr. McDougal and passed.

LAURI CERINI-JONES, ASSESSOR – Mrs. Cerini-Jones reported that she and her staff have been busy working on the Board of Equalization appeals. The BOE is meeting tomorrow and will be reviewing two appeals.

BRYCE SHIELDS, DISTRICT ATTORNEY – Mr. Shields stated that he is tracking a couple BDRs (Bill Draft Requests) regarding Guardianships. One proposal is to create a statewide Public Guardian office, similar to the State Public Defender's office.

He also stated that he researched the issue regarding Justices of the peace and longevity. The Legislature is prohibited from making any special rule or law in regards to the compensation of the Justice of the peace. NRS 4.040 regulates how JP's compensation is set. The Commission has that authority and could increase her salary by Resolution.

GRASS VALLEY ADVISORY BOARD: Annette Stripe was present.

Mrs. Stripe stated that they had set March 18th as the Town Hall with the Commissioners. This is the same date as the Winnemucca Lions Club's Health Fair. She would like to reschedule the Town Hall for their regular meeting on March 27th or for April 29th. The Board thought the Saturday date in April would be better.

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

Mr. Evans gave the Board the monthly report.

Mrs. Shank stated that there is an item on the agenda to discuss Code Enforcement and asked Mr. Evans why he couldn't do this job. Mr. Evans stated that in his opinion, to do the job right, a separate position is needed. He also stated that it is a lot of extra work and feels additional compensation would be warranted.

The Planning Commission will be meeting March 1st to review three items. He also has three more items for the April meeting.

Mrs. Shank had also asked Mr. Hill if one of his employees in Imlay could do the water testing. Mr. Hill spoke with Mr. Evans last week and he thinks they would be able to do it.

JERRY ALLEN, SHERIFF: UPDATE – Sheriff Allen stated that they are doing ongoing training with the new staff. Last week they had four reports of people stuck in the mud, including one person trapped under a UTV (utility task vehicle) over night.

Sheriff Allen is also tracking a few BDRs, one regarding body and vehicle cameras. There is also a Federal bill that was introduced that would strip the BLM (Bureau of Land Management) and the Forest Service of their Law Enforcement powers. Sheriff Allen stated that Congressman Amodei is in support of this bill. This would have a huge impact on Pershing County, especially during the Burning Man Event.

The Jail was inspected by the State Health Department and we passed inspection. There were a few small things noted.

REPLACEMENT OF 3 TASERS WITH BATTERIES AND WARRANTIES IN THE AMOUNT OF \$4,506.90 – Mrs. Shank asked how these would be paid for. The Board felt these were necessary items, but were concerned with the budget. Mr. Rackley suggested waiting till closer to the end of the year to see where Sheriff Allen's budget is at.

APPROVAL TO PURCHASE RADIOS, INCLUDING ACCESSORIES AND TRANSPORT CONTAINERS FROM BURNING MAN IN THE AMOUNT OF \$10,000.00 – Sheriff Allen stated that these radios were purchased by Burning Man for use at the event. Burning Man has stated that they paid approximately \$80,000 for these radios. Mrs. Shank asked if Sheriff Allen wanted them. Sheriff Allen stated that he doesn't want them, but does need them for the event.

Sheriff Allen stated that he was approached by Burning Man last year and they offered them to us for \$60,000. Sheriff Allen wasn't willing to pay that price. They discussed lowering the cost or maybe even donating the radios, but the Sheriff was not in favor of that either. Sheriff Allen feels there are ethical implications attached to accepting a donation and also felt there would be strings attached. The offer before the Board is the latest offer. Sheriff Allen stated that he contacted the vendor and the radios are worth approximately 50% of the original price. He also stated that if the Board approves the purchase the funds would have to come out of the Burning Man Budget. Mrs. Childs stated that there isn't any funding left in the 2016 event budget. Sheriff Allen stated that he was going to ask that it is taken out of their first payment for 2017. Mrs. Shank stated that instead of deducting the cost from their payment that we could propose purchasing the radios, but delaying the payment.

Roger Vind from Burning Man was present. Mr. Vind didn't think they would have a problem accepting a delayed payment. Mr. Vind also wanted the record to reflect that he takes exception to Sheriff Allen's comment that strings would be attached. Mr. Shields stated that in light of the allegations that a BLM employee accepted gifts from Burning Man, it is something that has to be said. Mr. Shields stated that it is important to show that the relationship between the two parties is at an arm's length.

Mr. McDougal made a motion to move forward with purchasing the radios from Burning Man at a cost of \$10,000, with the Sheriff drafting a letter asking to defer payment until the County receives the first payment from Burning Man for the 2017 event. Motion seconded by Mr. Rackley and passed.

The meeting recessed at 10:53 a.m. and reconvened at 11:00 a.m.

PRESENTATIONS FROM THE FOLLOWING INSURANCE COMPANIES FOR PERSHING COUNTY HEALTH INSURANCE BROKER: Presentations were given by Maggie Loyan of Loyan Planning; Kevin Monaghan and Bridget Brundige of LP Insurance Services, Inc.; and Kent Mowry, Tracy Neeley and Nanette Chalupa of A and H Insurance, Inc.

Ms. Loyan has been the County's Broker for several years. She gave the Board several handouts detailing her education, employment and the County's current benefits.

LP and A and H both gave presentations to the Board at an earlier meeting. Mr. Monaghan stated that LP would be willing to forfeit 20% of their compensation if the County is not satisfied with their services. He also stated that in lieu of working on commission, they would propose a flat rate of \$26,000 per year, guaranteed for three years.

SELECTION OF HEALTH INSURANCE BROKER FOR PERSHING COUNTY: Mr. McDougal stated that he would be recusing himself from any discussion or action on this item as he just hired A and H for his personal business. Mr. McDougal stated that he thought this issue had already been decided when the Board voted to change brokers for the property insurance.

There was much discussion and it was stated that all three companies gave very good presentations. Ms. Loyan's service and dedication to Pershing County was also acknowledged.

Mr. Rackley made a motion to select A and H Insurance as Pershing County's health insurance broker. Mrs. Shank seconded the motion. Mr. McDougal abstained. Motion carried.

PROCLAMATIONS AND AWARDS: There were no proclamations or awards to consider.

SALARY RESOLUTION: JADE ADAMS, SENIOR CENTER – It was noted that the evaluation is six months late. Mr. McDougal suggested that the Board's policy be that they will not be back-dating salary resolutions. The supervisors need to get them done on time and if they don't it needs to be considered during the supervisor's evaluation.

Mr. McDougal made a motion to approve the Salary Resolution for Jade Adams moving her from an Administrative Clerk I, Range 23, Step 1 to an Administrative Clerk II, Range 26, Step 1 effective February 20, 2017. Motion seconded by Mr. Rackley and passed.

RENEWAL OF INTERLOCAL AGREEMENT VEHICLE USE AGREEMENT AND AGREEMENT FOR USE OF SCHOOL FACILITIES AND OTHER PROPERTY BETWEEN THE BOARD OF TRUSTEES OF THE PERSHING COUNTY SCHOOL DISTRICT AND THE PERSHING COUNTY COMMISSION: Mr. McDougal made a motion to approve the Interlocal Agreement, Vehicle Agreement and the Agreement for use of school facilities and other property between the Board of Trustees of the Pershing County School District and the Pershing County Commission for Fiscal Year 2016-17. Motion seconded by Mr. Rackley and passed.

DISCUSSION ON A SIX OR TWELVE MONTH MORATORIUM ON THE ISSUING OF LICENSES FOR THE OPERATION OF RETAIL RECREATIONAL MARIJUANA ESTABLISHMENTS IN PERSHING COUNTY: Mr. Shields reported that the Tax Commission has been taxed with regulating the sale of recreational marijuana, but no regulations are expected to be seen for several months.

Mr. McDougal made a motion to impose an ordinance declaring a moratorium for a period of 180 days, with the ability to extend it by Resolution for an additional 60 days, on the issuing of licenses for Retail Recreational Marijuana Establishments. Motion seconded by Mr. Rackley and passed.

FIRST READING OF A PROPOSED ORDINANCE IMPOSING A MORATORIUM ON THE ISSUING OF LICENSES FOR THE OPERATION OF RETAIL RECREATIONAL MARIJUANA ESTABLISHMENTS IN PERSHING COUNTY: Bill No. 326 was introduced by Commissioner McDougal and read by title as follows:

AN ORDINANCE DECLARING A MORATORIUM FOR A PERIOD OF UP TO 180 DAYS WITH THE ABILITY TO EXTEND IT BY RESOLUTION FOR UP TO AN ADDITIONAL 60 DAYS

ON THE ACCEPTANCE AND PROCESSING OF PLANNING OR OTHER APPLICATIONS FOR CONSTRUCTION OR OPERATION OF RECREATIONAL MARIJUANA ESTABLISHMENTS.

FIRST READING OF A PROPOSED AMENDMENT TO CHAPTER 2.90, TITLED SENIOR CENTER ADVISORY BOARD, OF THE PERSHING COUNTY CODE: Bill Nol. 327 was introduced by Commissioner Rackley and read by title as follows:

AN ORDINANCE AMENDING CHAPTER 2.90, SENIOR CENTER ADVISORY BOARD, CLARIFYING THAT THE CITY OF LOVELOCK APPOINTS THREE REGISTERED VOTERS WHO ARE RESIDENTS OF THE CITY TO SERVE ON THE BOARD, AND PERSHING COUNTY APPOINTS TWO REGISTERED VOTERS WHO LIVE IN THE COUNTY TO SERVE ON THE BOARD.

CORRESPONDENCE: There was no additional correspondence discussed.

CODE ENFORCEMENT POSITION AND JOB DESCRIPTION, ADVERTISING THE POSITION: The Board would like to review the job description further and this will be put back on a future agenda.

Mr. Shields stated that the current job description implies that the position is out of the DA's office. He is not opposed to this, provided that the position could also do some other things. He also stated that the County is authorized to give certain employees the authority to issue criminal citations.

BOARD APPOINTMENTS: LOVELOCK VALLEY WEED DISTRICT – Mrs. Wesner stated that she had a verbal commitment from Anthony Moura that he would like to continue on the Lovelock Valley Weed District. He is out of town, but will submit a letter of interest. It was noted that the appointment could not wait for the written letter as the Weed District has an upcoming meeting to adopt a Resolution for the Department of Taxation and Mr. Moura is needed for a quorum.

Mr. Rackley made a motion to reappoint Anthony Moura to the Lovelock Valley Weed District with a term expiring January 1, 2019. Motion seconded by Mr. McDougal and passed.

VOUCHERS: Mr. McDougal made a motion to approve the vouchers with the exception of a voucher for Vendor #420, Pershing General Hospital, so that DA Shields may review it. Motion seconded by Mr. Rackley and passed.

REPORT FROM ADMINISTRATIVE ASSISTANT: Mrs. Wesner reported that she has been busy administering the Imlay Sewer Grant and trying to keep up on the BDRs.

PURCHASE OF 3 LAPTOP COMPUTERS AND IPHONES – Since the Board has decided to purchase laptops instead of tablets; some more research regarding cost needs to be done. This portion of the agenda item will be put back on a future agenda.

Mr. McDougal made a motion to purchase three Apple iPhones from Verizon, to include the Nationwide Voice Share Plan. Motion seconded by Mr. Rackley and passed.

UPDATE ON THE PERSHING COUNTY ECONOMIC DEVELOPMENT AND CONSERVATION ACT: There was nothing to report at this time.

MATTERS OF THE BOARD FOR DISCUSSION, BOARD MEMBER REPORTS, BOARD LIAISON REPORTS: Mr. McDougal reported that he attended the NV Works meeting last Friday. Mr. Rackley and Mrs. Shank did not have anything to report.

PUBLIC INPUT: A and H thanked the Board for their time and for trusting them with their insurance needs.

Carl Clinger gave Mr. McDougal some information on the Wilderness Areas.

As there was nothing further to come before the Board, the meeting adjourned at 1:22 p.m.

Approved 3/15/17: _____ /s/
Carol Shank, Chairwoman

Attest: _____ /s/
Lacey Donaldson, Clerk