

MAY 17, 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.

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

PUBLIC HEARING: FISCAL YEAR 2017-2018 PROPOSED BUDGET FOR PERSHING COUNTY, PERSHING COUNTY TV DISTRICT AND TOWN OF IMLAY; APPROVAL OF FISCAL YEAR 2017-2018 TENTATIVE BUDGETS FOR PERSHING COUNTY, PERSHING COUNTY TV DISTRICT, AND TOWN OF IMLAY – Mr. Rackley made a motion to approve the Fiscal Year 2017-2018 tentative budgets for Pershing County, Pershing County TV District and the Town of Imlay. Motion seconded by Mr. McDougal and passed.

APPROVAL OF A RESOLUTION FOR THE TAX RATE FOR THE COOPERATIVE EXTENSION FUND FOR FISCAL YEAR 2017-2018 – Mr. McDougal made a motion to adopt Resolution #17-0502, approving the Tax Rate for the Cooperative Extension Fund for Fiscal Year 2017-2018. Motion seconded by Mr. Rackley and passed.

APPROVAL OF MINUTES: The Board had the minutes from the April 5, 2017 and April 19, 2017 meetings to review.

Mr. Rackley made a motion to approve the minutes of April 5, 2017 and April 19, 2017 with the correction of some typographical errors and clarification regarding Imlay's "donated" fire truck and the Sheriff's letter regarding integrated command for the 2017 Burning Man event. Motion seconded by Mr. McDougal and passed.

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 Mr. McDougal and passed.

UNCLASSIFIED DEPARTMENTS:

ROAD DEPARTMENT – Dan Hill was present.

Mr. Hill reported that they are finishing up blading on the west side of the County. They fixed a major washout at Darrel Springs. They are also doing some patching on the road up to Coeur and are laying soy bean oil and spraying weeds when they can. Mr. Hill stated that they have a fairly large pile of gravel at the Garavana Pit and will be moving the screening plant to Buena Vista Valley.

Mr. Hill also reported that he and Gerry Monroe did some work at the Lone Mountain Cemetery for Mr. Handka. Mr. Hill was approached by the Tribe to blade the road to their cemetery as well.

Request for approval to go to bid for Old Victory Highway Chip Seal Project: Mr. Hill stated that he is going to re-bid to include all ten miles. Four miles will be paid for with Devco funds and the remaining will be RTC funds.

Mr. Rackley made a motion to approve going to bid for the Old Victory Highway Chip Seal Project. Motion seconded by Mr. McDougal and passed.

LANDFILL – Dan Hill was present.

Mr. Hill reported that Mr. Nielsen is having some issues with metal recyclers and is looking for someone else. Mr. Hill also stated that a third bin was added at the Grass Valley transfer station.

Mr. Hill will be attending the cooperators meeting with Burning Man this afternoon.

BUILDINGS AND GROUNDS – John Handka was present.

Mr. Handka reported that he sprayed weeds at the Imlay Community Center and around the deputy's house. He also sprayed weeds at the Grass Valley Firehouse and the Community Center.

Mr. Handka stated that two valves were replaced out at McDougal Field. Mr. Handka stated that making the repairs at McDougal Field delayed the mowing at the Courthouse Park for a week. Mr. Rackley stated that they received several complaints about the Courthouse Park. Mr. Handka stated that he couldn't turn the water on at the ball fields without those repairs being made. Mrs. Shank stated that there are a lot of foxtails in the Park. Mr. Handka stated that they have been sprayed. She also asked if there were bare spots that need to be seeded. Mr. Handka stated that every time they have put seed out the birds get to it. He also stated that they don't water often enough. They are trying to work on small sections at a time.

Mr. McDougal stated that the ball fields have been thatched and look really good. Mr. Handka stated that a large section is dying and, after speaking to some other lawn care professionals, he believes it is a fungus. He has purchased a spray to get rid of it. Mr. Rackley stated that we have an excellent resource in Steve Foster from Cooperative Extension if Mr. Handka ever has any questions.

Mr. Handka stated that all the weeds have been addressed at the Lone Mountain Cemetery. The trees are being trimmed. He also stated that he has a long term plan that he will start this summer to address the drainage issues. The trees have been trimmed at Big Meadow Cemetery as well. The prison crew was working on the weeds, but was called to an emergency. It was noted that the Sheriff's Office might have inmates that can help as well.

Mr. Handka stated that the trees were trimmed at the Courthouse Park and at the Museum. A few trees were trimmed by the Admin building as well. Mr. Handka also went up to Toulon Peak and changed the air filters in the cooling system.

Quotes for motion detectors and burglar alarms for county buildings within the City of Lovelock:
This item will be placed on the next agenda.

Discussion regarding approval to add RV hook-up at the Imlay county rental home for Deputy Jason Flanagan: Mr. Handka stated that Deputy Flanagan is currently running an extension cord from his trailer to the empty house. Mr. Handka stated that Bruce Hudson will be out there today installing the electrical plug. Mrs. Shank stated that Deputy Flanagan is willing to pay for half of the hook-up costs. Mr. McDougal asked if this is allowable under our Planning Code. Mr. Rackley stated that it is allowed on a temporary basis. Mr. Shields stated that he thought the Code allows for 6 months with the issuance of a Building Permit, but will double check. After reviewing the Code, Mr. Shields stated that you can stay on the property for up to 14 days, 4 times per year. If you have a building permit, you can stay in an RV for up to 18 months plus extensions. It was noted that there is an RV park nearby. Mr. McDougal also expressed concern about the uninhabitable home that the County owns.

COOPERATIVE EXTENSION/4-H – Steve Foster was present.

Mr. Foster reported that he held a feed lot school two Fridays in a row. He also met with individuals at the Nevada Department of Agriculture looking for a location to do a demonstration research project on Russian knapweed. A Webinar was held to discuss maximizing forages. Mr. Foster went to Reno to teach a Certified Slaughter Basic II class, but no one signed up so it was cancelled. Mr. Foster also taught a 4-H class in preparation for the Livestock Show. He will be planting two soy bean test plots this week if the weather permits.

Mr. Foster stated that he attended the Big Meadow Conservation District meeting, the Western SARE (Sustainable Agriculture Resource and Education) State Coordinator Teleconference and the Humboldt Water Shed Weed Management Board meeting.

In 4-H news, the Livestock Show was held last Sunday and it went very well. The Nevada Junior Livestock Show is in Reno this week.

Mr. Foster will be teaching at the Nevada Youth Range Camp June 18th – 24th. He will be giving a Pesticide Presentation in Reno on June 14th. 4-H Camp will be July 16th – 22nd at Lake Tahoe.

Mr. Foster also informed the Board that the Fiber Optics is now hooked up and he has submitted the notice to terminate the T1 line.

PERSHING COUNTY FIRE/AMBULANCE REPORTS –

AMBULANCE REPORT: Chief Carmichael stated that the repairs to one of the ambulances will put them over budget. Trina Allen is still working on finding out what needs to be done to put the fourth ambulance back in service.

Intrastate Interlocal Contract between the State of Nevada, Division of Health Care Financing and Policy and Pershing County for and on the behalf of the Pershing County Ambulance Service to provide emergency transportation ground ambulance services to eligible recipients under Title XIX within Pershing County, in accordance with the State of Nevada Medicaid State Plan and Nevada Medicaid Services Manual: Mrs. Shank asked Chief Carmichael if he had any concerns regarding the contract. Chief Carmichael stated that he had never received the contract to review. Mrs. Wesner stated that she emailed it to him after the last meeting. It was noted that this item was on the last agenda and the Board held off on a decision so Chief Carmichael could review it. Mr. Rackley stated that the Board should go ahead and move forward.

Mr. Rackley made a motion to approve the Intrastate Interlocal Contract between the State of Nevada, Division of Health Care Financing and Policy and Pershing County for and on the behalf of the Pershing County Ambulance Service. Motion seconded by Mr. McDougal.

Chief Carmichael asked if this was time sensitive or if he could have the chance to look at the contract. Mrs. Wesner stated that she has received several calls asking when it was going to be approved.

Mrs. Shank called for a vote and the motion carried.

Later in the morning, Mr. Shields stated that he spoke with a Deputy Attorney General yesterday and was told that the version of the contract in the packet is a zero sum contract. In their legal research the State discovered that they needed to include an amount of consideration in the contract. Mr. Shields was sent an updated contract with terms added to Paragraph 7 listing a cost of \$33,017 for SFY16; approximately \$43,000 for SFY17 and approximately \$43,000 for SFY18 for a total not to exceed \$120,000. Mrs. Shank asked how they could go from zero to \$120,000. Mr. Shields explained that these are all in-kind services provided by our ambulance service. They are determining the actual value of these in-kind services so that they can seek reimbursement from the Federal Government. Mr. Shields is trying to determine if the reimbursement would be filtered back to the local ambulance service. Mr. Shields asked that the Board void the motion approving the contract so that he has time to do some more research.

Mr. Rackley made a motion to withdraw his previous motion approving the Intrastate Interlocal Contract between the State of Nevada, Division of Health Care Financing and Policy and Pershing County. Motion seconded by Mr. McDougal and passed.

SAFETY – Pam Munk was present.

Mrs. Munk stated that she has been working on holding make-up classes for the Safety training. This year she has held 56 classes for required training, 6 additional training classes and 3 tail-gate classes. The building inspections are behind schedule. They will be doing two inspections this Friday. The annual Safety BBQ will be held on Friday, June 30th.

Mrs. Shank stated that she spoke with Mrs. Munk about writing up the County's requirements for Safety Training so that the employees can start utilizing e-learning. This will free Mrs. Munk up to write grants. Mrs. Shank would like this to happen starting July 1st. Mrs. Munk stated that she has been researching grants to replace the playground equipment. Our equipment is 25 years old.

ELECTED DEPARTMENTS:

LACEY DONALDSON, CLERK-TREASURER – Mrs. Donaldson reported that she and Mrs. Cerini-Jones received a template contract from Churchill County for the Assessor/Tax Collection software. Once they review it they will forward it to Mr. Shields. Mrs. Donaldson also reported that she participated in a conference call with the Secretary of State last week and Secretary Cegavske was confident that partial funding for the voting equipment replacement will be approved.

RENE CHILDS, RECORDER-AUDITOR – Mrs. Childs stated that she and one of her staff visited Lyon County to view the Tyler Technology programs in use. The other two staff members will also be going there later this month as well. Mrs. Childs stated that Josh Foli, Lyon County Comptroller, stressed that they all can't be implemented at the same time. The Chart of Accounts and accounting side should be done first with payroll following 6-8 months later. Mr. Foli paid approximately \$263,000 four years ago when he implemented Tyler for the accounting and payroll functions. Mrs. Childs gave the Board some information regarding the conversion and stated that she feels an IT person is a necessity.

LAURI CERINI-JONES, ASSESSOR – Mrs. Cerini-Jones will be attending a meeting regarding the DevNet contract tomorrow.

MARZEN HOUSE MUSEUM: REQUEST TO REMOVE INVENTORY ITEM HP PRINTER – Mrs. Lusby-Angvick stated that, unbeknownst to her, the printer has already been disposed of.

Mr. Rackley made a motion to approve the request to remove the HP Printer from the Marzen House Museum's Inventory. Motion seconded by Mr. McDougal and passed.

ELECTED DEPARTMENTS, CONT.D:

KAREN STEPHENS, JUSTICE COURT – *Approval of a Resolution to increase salary for Justice of the Peace, Karen Stephens, commensurate with the statutory increase of other elected officials:* Mr. Shields explained that in 2007 the Commission passed a Resolution to make the Justice of the Peace's salary commensurate with the salary of other elected officials, but they did not address longevity pay. NRS provides longevity pay for other elected officials (the DA, Assessor, Clerk-Treasurer, Sheriff, Recorder-Auditor, etc.), but it doesn't include the Justice of the Peace. The Justice of the Peace's salary is set exclusively by the County Commission. Mr. Shields told the Board in an email that District Court Judges are entitled to longevity after the fourth year of their six year term. Longevity pay for other elected officials is tied to them being re-elected.

Mrs. Shank stated that under the NRS it states that the Justice of the Peace is not entitled to longevity pay. Mr. Shields stated that it doesn't mean they can't be paid for longevity, it just means they are not included in that statute. Mr. Shields also stated that it is unconstitutional for the Legislature to interfere with compensation for the Justice of the Peace. The salary of other elected officials is up to the Legislature and the salary of the Justice of the Peace is up to the County Commission.

Mr. McDougal made a motion to adopt Resolution #17-0503 providing longevity pay for the Justice of the Peace and adopting an increase in salary for the Justice of the Peace commensurate with the County Assessor, Recorder-Auditor and Clerk-Treasurer to be paid after the completion of 4 years in office. Motion seconded by Mr. Rackley and passed unanimously.

Mrs. Childs asked for clarification when it would be paid. Longevity will start after the completion of the fourth year.

JERRY ALLEN, SHERIFF – Sheriff Allen stated that there is a Jury Trial starting today. The Sheriff's Office served approximately 119 jury summons. Sheriff Allen will be attending the Cooperators meeting in Reno today with Burning Man. Sheriff Allen reported that he is still down one employee and would like an item on the next agenda to fill the position.

Mr. Rackley mentioned that the Sheriff's office had another vehicle accident. Sheriff Allen stated that it was more of an incident than an accident. One of the deputies hit a mile marker sign and the damage was insignificant and did not warrant an insurance claim. Mr. Rackley stated that there is a policy regarding the time frame to report accidents. Mrs. Donaldson stated that she was informed of the incident, but not until a week after it happened. The County Vehicle Policy states that the Clerk will be informed immediately or no later than the next business day.

Sheriff Allen stated that they have received the equipment for the electronic citation system and have also received the body cameras. Sheriff Allen stated that with the changing technology the need for an internal IT person is greater and greater.

Mr. McDougal spoke about the RV issue at the Imlay rental house. Sheriff Allen was not aware of the issue until today. Mr. McDougal asked Sheriff Allen to speak to the deputy about finding another location for his RV. Sheriff Allen stated that he would.

UPDATE ON PROGRESS OF SITE LOCATION, DESIGN, FUNDING, AMENITIES AND CONSTRUCTION OF POTENTIAL NEW LAW ENFORCEMENT CENTER: Sheriff Allen and Mr. Rackley will be touring the Elko County Jail and Police Department next Thursday. Mr. Rackley has also talked to LCA Architects as well and will invite them on the tour.

Mr. McDougal doesn't believe that turning the current building into the non-secured section of the facility and building a new secured section would be more expensive than building a whole new facility. Mr. McDougal stated that we need to be directing the architects and not them directing us.

Mrs. Shank asked if we should be requesting proposals for a design build on the existing lot. Mr. Rackley stated that they are not to that point yet.

RESOLUTION AMENDING OPTION TAX PRIORITIES FOR THE PURCHASE OF PUBLIC SAFETY VEHICLES AND EQUIPMENT: It was explained that the amount for the Grass Valley Firehouse expansion was adjusted from \$200,000 to \$40,000 as the majority of the cost will come out of the Building Fund. One patrol vehicle for the Sheriff's office each fiscal year was also added. There was some confusion regarding the fire protection vehicles. The previous Resolution included pumpers and tankers. The amendment only mentions the tenders. Mr. Rackley will research the units that were purchased and will work with Mr. Shields to obtain the right verbiage. This will be put on the next agenda.

PROCLAMATIONS AND AWARDS: Nothing was submitted for consideration.

CONSIDERATION OF A MEMORANDUM OF UNDERSTANDING BETWEEN PERSHING COUNTY AND THE PERSHING COUNTY FAIR AND RECREATION BOARD TO IDENTIFY AND SPECIFY RESPONSIBILITIES APPROPRIATE FOR EACH OF THE TWO ENTITIES FOR THE OPERATION AND MAINTENANCE OF MCDUGAL SPORTS COMPLEX: Mr. McDougal stated that as the Commissioner appointed to that Board he has seen some conflicts between the County's Buildings and Grounds Department and what the Recreation Board feels they are responsible for regarding the ball fields. Mr. McDougal is suggesting an MOU to identify the County's responsibilities and the Recreation Board's responsibilities. Mr. McDougal feels all maintenance and repairs should be handled by Buildings and Grounds. If parts or materials are needed, the invoices would be submitted to the Recreation Board for payment. The Recreation Board would be responsible for the scheduling calendar and any expenses or capital improvements.

Mrs. Shank stated that there is a combined effort with the Swimming Pool as well and feels it should be included in the MOU.

Mr. Shields explained that the Recreation Board is an advisory board to the County Commission. They have no outside authority and are just administrative. Mr. Shields would like to talk more about

this with Mr. McDougal as he feels an MOU between an advisory board and its parent board is not the right vehicle. This will be put back on a future agenda if needed.

SALARY RESOLUTIONS: C. ARNETT, ROAD DEPARTMENT – Mrs. Wesner explained that Mr. Hill would like to move Mrs. Arnett up two steps to reward her for doing an exemplary job.

Mr. Rackley made a motion to approve the Salary Resolution for Chastity Arnett moving her from an Administrative Clerk II, Range 26, Step B to an Administrative Clerk II, Range 26, Step D effective June 6, 2017. Motion seconded by Mr. McDougal and passed.

R. AGUILAR, SHERIFF'S DEPARTMENT – Ms. Aguilar has completed her probation and is eligible for the reclassification.

Mr. McDougal made a motion to approve the Salary Resolution for Ramona Aguilar moving her from a Dispatcher I, Range 26, Step 2 to a Dispatcher II, Range 27, Step 2 effective June 1, 2017. Motion seconded by Mr. Rackley and passed.

FIRST READING OF AN AMENDMENT TO CHAPTER 15 OF THE PERSHING COUNTY CODE AMENDING THE BUILDING DEPARTMENT FROM THE 2003 BUILDING CODES AND ADOPTING THE 2012 INTERNATIONAL BUILDING CODE (IBC) AND INTERNATIONAL RESIDENTIAL CODE (IRC) TO INCLUDE THE 2012 UNIFORM PLUMBING CODE (UPC), UNIFORM MECHANICAL CODE (UMC) AND INTERNATIONAL ENERGY CONSERVATION CODE (IECC) AND THE 2010 NATIONAL ELECTRICAL CODE (NEC) INCLUDING THE 2012 NORTHERN NEVADA AMENDMENTS: Bill #328 was introduced by Commissioner McDougal and read by Title as follows:

AN ORDINANCE AMENDING CHAPTER 15.04 ENTITLED ADOPTED BUILDING CODES, OF TITLE FIFTEEN OF THE PERSHING COUNTY CODE BY ADOPTING THE 2012 INTERNATIONAL BUILDING CODE AND THE INTERNATIONAL RESIDENTIAL CODE TO INCLUDE THE 2012 UNIFORM PLUMBING CODE, UNIFORM MECHANICAL CODE, INTERNATIONAL ENERGY CONSERVATION CODE, AND THE 2010 NATIONAL ELECTRICAL CODE, ALONG WITH THE 2012 NORTHERN NEVADA AMENDMENTS TO SUCH CODES.

DISCUSSION REGARDING THE CODE ENFORCEMENT OFFICER JOB DESCRIPTION; APPROVAL TO ADVERTISE OR COMBINE THE POSITION WITH A JULY 1, 2017 STARTING DATE; DETERMINATION OF REPORTING DEPARTMENT, QUALIFICATIONS, AND PHYSICAL LOCATION OF EMPLOYEE: The Board reviewed the old job description and an amended job description. There was discussion regarding making the District Attorney's office the reporting department and whether or not POST (Peace Officer Standards Training) Certification should be required. Mr. Shields stated that the Certification would be needed to do investigations for the DA's office; however, Code Enforcement is the first priority. Mr. Shields stated that if he is going to be tasked with the supervision of this person, he would like the position to also be housed in his office.

Later in the afternoon Mrs. Wesner gave the Board the updated job description with the changes requested.

Mr. McDougal made a motion to approve the Code Enforcement Officer Job Description as amended and authorized the advertisement and hiring to fill the position. Motion seconded by Mr. Rackley and passed.

CORRESPONDENCE: There was no correspondence discussed.

The meeting recessed at 10:59 a.m. for a Litigation meeting and reconvened at 11:12 a.m. to review vouchers.

VOUCHERS: Mr. Rackley made a motion to approve the vouchers, correcting the account number on the voucher for Vendor #1016. Motion seconded by Mr. McDougal and passed.

REPORT FROM LEGAL COUNSEL: Mr. Shields did not have anything to report.

REPORT FROM ADMINISTRATIVE ASSISTANT: Mrs. Wesner stated that she has been working on the documentation for the Imlay Sewer grant.

UPDATE ON PERSHING COUNTY ECONOMIC DEVELOPMENT AND CONSERVATION ACT: Mr. McDougal reported that the House Committee on Natural Resources will be having a hearing next Tuesday. Mr. McDougal will attend and testify.

PUBLIC INPUT: Carolyn Hultgren reported that the Pershing Health Care Foundation has raised \$6,100 towards the \$10,000 challenge.

At 11:30 a.m. the Board recessed to hold a closed labor session pursuant to NRS 288.220 to meet with the County’s labor representative regarding labor negotiations. The meeting reconvened at 12:00 p.m.

2017 LEGISLATIVE MATTERS: UPDATE, REVIEW, AND DISCUSSION CONCERNING THE POTENTIAL IMPACT OF ANY BILLS, ANY PROPOSED AMENDMENT THERETO, THE DETERMINATION OF ANY POSITION ON THE BILLS AND DIRECTION TO STAFF OR REPRESENTATIVE ON BEHALF OF THE COUNTY REGARDING THE BILLS – The Board did not have anything to discuss at this time.

ITEMS FOR FUTURE AGENDAS: It was noted that the May 23rd Department Head meeting has been rescheduled to May 24th at 2:00 p.m.

MATTERS OF THE BOARD FOR DISCUSSION, BOARD MEMBER REPORTS, BOARD LIAISON REPORTS: Mrs. Shank attended a workshop yesterday about health equity in rural Nevada.

PUBLIC INPUT: There was no additional public input.

Meeting recessed at 12:04 p.m. and reconvened at 2:00 p.m. for a Budget Workshop. As there was no further business to come before the Board, the meeting adjourned at 3:10 p.m.

Approved 6/21/17: _____/s/_____
Carol Shank, Chairwoman

Attest: _____/s/_____
Lacey Donaldson, Clerk