

## AUGUST 1, 2018

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

**APPROVAL OF MINUTES:** Mrs. Shank made a motion to approve the June 6, 2018 regular meeting minutes as submitted, noting that they are past the 45 day deadline as the Clerk is still catching up after the Primary Election. Motion seconded by Mr. Rackley and passed.

**PUBLIC INPUT:** There was no public comment 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. Shields did not see any items that could impose an economic burden.

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 Mrs. Shank and passed.

### **UNCLASSIFIED DEPARTMENTS:**

**ROAD DEPARTMENT** – Dan Hill and Gerry Monroe were present.

Mr. Hill stated that they started interviews for the Administrative Clerk position yesterday. They received several applicants and interviewed some good candidates, so they will discuss it further this afternoon and make a decision.

The Board thanked Mr. Monroe for his 25 years of service. Mr. Hill also acknowledged that Mr. Monroe is a great asset to the department.

Mr. Hill reported that they continue to spray weeds. They have finished the Mag Chloride project.

Mr. Hill is working with Florida Canyon Mine on a Road Maintenance Agreement. There was a wash out on the Standard Mine Road that they just let go. After meeting with Mr. Hill, they have fixed it. A small portion of Old Victory Highway was damaged as well.

Mr. Hill stated that they are still prepping Lower Valley for the chip seal project. After receiving a complaint, they put soy bean oil down on Westfall Road. The landings for the mail boxes in Grass Valley have been improved. When they have more time they will haul in some more gravel for them as well.

Mr. McDougal spoke about complaints he received when he attended the Grass Valley Advisory Board meeting. There are a lot of goat heads on the side of the roads, but it is too late to spray. Mr. Hill stated that they did spray in Grass Valley a few times, but they couldn't keep up. They can physically remove them when they are in the area. There was also a complaint about the signage at the burn area. It was suggested that the existing signage be moved or that additional signage be added giving better directions. There was also a complaint about the garbage truck speeding.

Mrs. Donaldson informed Mr. Hill that she received verbal approval from the Department of Taxation in regards to the Landfill Loader financing.

**LANDFILL AND RECYCLING** – Dan Hill was present.

Mr. Hill reported that Mitch Nielsen took some CEU (Continuing Education Unit) courses in Elko for his Landfill Operator's license.

Mr. Hill also reported that Hoss Disposal has gotten behind on their pickups. They are down to one truck and trash piled up in Imlay and Grass Valley. Mr. Hill is documenting everything.

Mr. Rackley stated that he has a quote for paint and supplies for the improvements to the Recycling Center. He will work with Mr. Handka to get the additional items needed. He also spoke with Mrs. Childs as he thinks the cost may be a couple hundred dollars more than what we were awarded through the grant.

**BUILDINGS AND GROUNDS – John Handka was present.**

Mr. Handka reported that they only had a couple small issues during Frontier Days. There was an electrical issue with one of the vendors and some graffiti in the women's restroom.

He is also having some issues with NAS (Naval Air Station) flying their helicopters next to the runways at the Airport and blowing gravel onto them.

Mr. Handka stated that he is being badgered by the softball players about cutting the grass shorter at the softball fields. Mr. Handka stated that if he cuts the grass any shorter it will die. Someone has also been using the frost-free water pump without permission and they have been dragging the infield with an ATV. Mr. Handka would like the Recreation Board to take over the maintenance of the field. Mr. Shields stated that the Rec Board is an advisory board to the County Commission and do not have the authority to take over the field.

Mrs. Shank reported that there are goat heads at the Library.

**SENIOR CENTER/VOLUNTEER COORDINATOR – Jordan McKinney was present.**

Mrs. McKinney reported that they are doing a sunset tour of Burning Man this year on August 28<sup>th</sup>. Burning Man also gave them 6 more tickets this year. The annual audit was done last Thursday and it went really well. They will be taking a trip to Virginia City this Friday. Senior Citizens Day is August 21<sup>st</sup>. The Center is looking for an out of town driver as Mr. Hutzler will be leaving.

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

Mrs. Lusby-Angvick reported that she attended an I-11 meeting. They have tentatively chosen the Fernley route, which is not the wish of the stakeholders. Most of the stakeholders prefer the Fallon route. The comment period is open through August 24, 2018. Mrs. Lusby-Angvick will share the information with the board.

Mrs. Lusby-Angvick also met with Cheryl Gonzalez of the Western Nevada Development District. They worked on writing the actual Strategic Plan and setting the goals and objectives. They will meet again at the end of August to finish up. WNDD interviewed three candidates, including Ms. Gonzalez, for Mr. Radil's position. The selected candidate will be introduced at the Economic Development Conference.

*Request for raffle gift from Pershing County for the Nevada Economic Development Conference August 20-21, 2018:* Mrs. Shank stated she had a gift certificate for Aces tickets she could donate. She also suggested contacting the bed and breakfast in Unionville to see if they would donate a night. It was also suggested that Mrs. Wesner have a gift basket made from Temptations.

Mrs. Shank made a motion to approve the purchase of a raffle gift up to \$100 from Pershing County for the Nevada Economic Development Conference. Motion seconded by Mr. Rackley and passed.

Mrs. Lusby-Angvick also spoke about the kiosks at the Museum. She spoke with Peggy McGuckian from the BLM and she has received some complaints about the 40 Mile Desert panels. They will be taken down and re-done.

**PERSHING COUNTY FIRE/AMBULANCE –**

**LOVELOCK FIRE DEPARTMENT:** Chief Wilcox was present.

*Request for approval to use the County Water truck for the 2018 Burning Man event from August 30 through September 4, 2018, with a rental fee of \$3,500.00:* The truck would be rented by JTT

Suppression. Mrs. Shank asked what would happen if the County needed the water truck during that time period. Chief Wilcox stated that the County has three other water trucks and the fire departments have the new tankers. Mr. Shields stated that he would draw up an indemnification agreement. The money would go to the General Fund.

Mrs. Shank made a motion to approve the use of the County Water truck for the 2018 Burning Man event from August 30<sup>th</sup> through September 4<sup>th</sup>, 2018 with a rental fee of \$3,500 going to the General Fund. Motion seconded by Mr. Rackley and passed.

Chief Wilcox stated that they finally got everything needed for their training room and got it all put together. Chief Wilcox also spoke about billing for accident and fire calls. It was approved by the Commission, but they didn't want locals to be billed. Chief Wilcox stated that if they have insurance, the insurance should be billed. Mrs. Shank stated that we should be billing for accidents on I-80. Chief Wilcox stated that there was a spill at Golden Gate the other day that took a lot of resources.

Mrs. Childs asked who would cover the insurance for the water truck while at Burning Man. This will be covered in the agreement.

IT DEPARTMENT – Justin Abbott was present.

Mr. Abbott reported that there were 26 new tickets opened in July and 27 tickets resolved. The average first response time was less than an hour and the average resolution time was 10 hours and 30 minutes. Devnet is working on some implementation in the Assessor's office. Mr. Abbott received confirmation that we will receive a network assessment later this month.

Mr. Abbott spoke about the Community Calendar. There was a comment made that he was making decisions about which items get posted. Mr. Abbott stated that he gets the requests from other people and puts them on the calendar. The Board isn't concerned.

PUBLIC DEFENDER – *Request to remove inventory item #CA1509, Jeep Liberty, VIN #IJ4GL48K12W143830:* Mrs. Shank made a motion to remove inventory item #CA1509, Jeep Liberty, from the Public Defender's inventory and move it to the Road Department's inventory.

Mrs. Childs stated that they have already moved this vehicle to the Commissioner's inventory.

Mrs. Shank amended her motion to move inventory item #CA1509 to the Commissioner's Inventory. Motion seconded by Mr. Rackley and passed.

Mr. Cochran reported that he has hired a new Administrative Assistant. She was able to start right away and got to spend a week working with Ms. Martinez before she transferred to her new position.

CODE ENFORCEMENT – Fran Machado was present.

Mrs. Machado showed the Board before and after pictures of some properties. She currently has 234 open complaints. The new complaints consist of mostly weed concerns in the Rocky Canyon area and other areas in the County. Mrs. Shank asked if Mrs. Machado could break the complaints out by area next time. Mrs. Machado also spoke about some squatters on Bombing Range Road that left a huge mess. The property owner lives out of state and was unaware that people were living there. He would like the County to clean up the property and bill him for it. Mr. Shields stated that he was informed that he would have to give a security deposit if this were to happen. Mr. Shields is going to recommend some private citizens to do the clean-up before the County gets involved.

## ELECTED DEPARTMENTS:

LACEY DONALDSON, CLERK-TREASURER – *Approval of corrections/changes to the Tax Roll:* The following corrections were presented to the Board:

APN #001-128-12	Jean Russell	Reduce Landfill Assessment \$120 credit
APN #006-035-09	Larry & David Durfee	Reduce Landfill Assessment \$120 credit
APN #007-221-15	Max Hockemier	Add Veteran's Exemption \$97.89 credit

APN #010-505-05	Thomas & Margaret McGinty Remove Landfill	\$120 credit
APN #007-471-45	Robert & Janet Blethen Reclassification of Arbor	\$102.75 credit
APN #007-471-33	Richard & Ingrid Garcia Reclassification of Arbor	\$16.57 credit
APN #007-241-40	Richard & Betty Machado Reclassification of Arbor	\$94.05 credit

Mrs. Shank made a motion to approve the two corrections to the Tax Roll as presented. Motion seconded by Mr. Rackley and passed.

RENE CHILDS, RECORDER-AUDITOR – Mrs. Childs stated that the auditors will be here tomorrow to work on the 17-18 audit.

*Approval to advertise/hire part-time (30 hours) Administrative Clerk I position that is budgeted, but currently vacant and approval to advertise/hire full-time Administrative Clerk I/II position with anticipated start date of October 1, 2018:* Mrs. Childs stated that Darlene Vonsild will be retiring on October 31<sup>st</sup>, so she would like to start her replacement on the 1<sup>st</sup>. This way if Mrs. Vonsild decides to leave earlier they are still covered. Mrs. Childs also stated that with the software conversion and the responsibilities of the office, it is time that she fills the part-time position in order to stay on top of everything. Mr. McDougal asked if a three quarter position was necessary. Mrs. Childs felt that it is. He stated that it would be prudent to review the need in the future.

Mr. Rackley made a motion to approve the advertisement and hiring to fill a part-time, 30 hour a week, Administrative Clerk I position, starting immediately and a full-time Administrative Clerk I/II position with an anticipated start date of October 1, 2018. Motion seconded by Mrs. Shank and passed.

LAUREEN BASSO-CERINI, ASSESSOR – Ms. Basso-Cerini stated that they have started the re-appraisal cycle in the City. The Pictometry with the higher resolution has been a great help.

Mrs. Shank asked how the Devnet conversion was going. Ms. Basso-Cerini stated that it appears the final conversion will happen sooner than she anticipated. Mrs. Donaldson met with Devnet yesterday and stated that the Treasurers are set to be on the system July 1<sup>st</sup>, which means the Assessors would need to be live before then.

BRYCE SHIELDS, DISTRICT ATTORNEY – *Approval for out of state travel to attend National Computer Forensic Institute in Alabama in August, to be paid by the Federal Government:* Mr. Shields stated that he would be gone August 5<sup>th</sup> through the 10<sup>th</sup>.

Mr. Rackley made a motion to approve the out of state travel for District Attorney Shields to attend the National Computer Forensic Institute in Alabama. Motion seconded by Mrs. Shank and passed.

**UPDATE ON PROGRESS OF SITE LOCATION, DESIGN, FUNDING, AMENITIES AND CONSTRUCTION OF FUTURE LAW ENFOCEMENT CENTER:** Mr. Shields stated that he sent Shields Engineering a notice to proceed after the last meeting. They are working on obtaining As-Built plans for the Jail. They anticipate a completion time for their assessment of 6 weeks.

Mrs. Shank asked if there was any progress on working with a real estate company in regard to the surrounding property. Mr. Rackley met with the real estate agent on Monday and they have received no response from the owner. Mr. Rackley also spoke with LCA in regards to the assessment of the current building and they would be amenable to amending our design at no cost.

**DERBY FIELD AIRPORT:** UPDATE ON MATTERS RELATING TO THE DERBY FIELD AIRPORT; APPROVAL/AWARD OF CONSTRUCTION BID FOR DERBY FIELD AIRPORT SNOW REMOVAL EQUIPMENT BUILDING IN THE AMOUNT OF \$263,045.04 AND SNOW REMOVAL EQUIPMENT IN THE AMOUNT OF \$161,449.00 – Armstrong Consulting is recommending awarding the Snow Removal Equipment Building bid to King Construction in the

amount of \$263,045.04 as the lowest, most responsive bidder and the Snow Removal Equipment bid to Sonsray Machinery in the amount of \$161,449.00 as the lowest, most responsive bidder.

Mr. Rackley made a motion to approve awarding the construction bid for Derby Field Airport Snow Removal Equipment building and equipment as presented. Motion seconded by Mrs. Shank and passed.

**KYLE B. SWANSON, ESQ.: REQUEST FOR ANNUAL EXTENSION OF THE PERSHING COUNTY CONFLICTS CONTRACT FOR 2018-2019** – Mr. Shields stated that Mr. Swanson has been the County's Conflict Counsel since 2004. Mr. Shields reviewed the contract and made some additions to reflect changes that have been made since that time. In 2004 the County was with the State Public Defender's office, so he has added provisions to cover the County's Public Defender office. He also added a requirement that the Conflict Counsel represent indigent wards in need of a guardian. The Legislature made this a requirement in 2017. Last year the County paid Mr. Swanson \$50,000.00. He has asked for \$1,000 increase, which this contract reflects. Mr. Shields stated that the most significant change would allow Mr. Swanson to go before the District Court and request additional compensation for an extraordinary case. Mr. Shields stated that the Board is well aware that Indigent Defense has been scrutinized lately as they don't want to see a situation where a defense attorney has to choose between providing an adequate legal representation and earning a living. Mr. McDougal asked what kind of financial protection the County would have in the event something like that occurred. Mr. Shields stated that statute caps the amount at \$20,000. The \$20,000 is already provided by the contract, so, for example, if the extraordinary circumstance amounted to \$21,000 the County would only be on the hook for the additional \$1,000.

Mrs. Shank made a motion to approve the annual extension of the Pershing County Conflicts Contract for 2018-2019 with Kyle B. Swanson as presented. Motion seconded by Mr. Rackley and passed.

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

Mr. Evans gave the Board his monthly permits and fees report. Mrs. Shank asked about building permit fees for metal storage buildings. Mr. Evans stated that it is calculated the same as other building permits, but the rate is different. Mr. Evans stated that he asks that the applicant provide a receipt for the cost of the building.

Mrs. Shank thanked Mr. Evans for turning the water on at the baseball field in Imlay.

**DISCUSSION REGARDING THE PERSHING COUNTY BOARD OF COMMISSIONERS SUBMITTING COMMENTS ON THE 2018 BURNING MAN EVENT SPECIAL RECREATION PERMIT ENVIRONMENTAL IMPACT STATEMENT:** Mr. McDougal clarified that this is not for the 2018 event, but for the EIS (Environmental Impact Statement) for 2019 and forward. Comments are due by this Friday. Mr. McDougal stated that he has personally submitted comments. Additional comments can be submitted to Mrs. Wesner. Mr. Shields will be putting something together to submit as well.

**PROCLAMATIONS AND AWARD:** GLENN ROSE, 50 YEARS OF SERVICE WITH THE FIRE DEPARTMENT – The Board thanked Mr. Rose for his 50 years of service to the Lovelock Fire Department and presented him with a Proclamation honoring that service.

**YEARS OF SERVICE PINS** – Gerry Monroe of the Road Department was acknowledged for his 25 years of service. Elizabeth Blondheim of Child Support was acknowledged for her 15 years of service. Mr. Shields asked that the Board present Mrs. Blondheim's pin again when she can be present.

**CONGRESSMAN MARK AMODEI: UPDATE ON PERSHING COUNTY AND FEDERAL ISSUES** – Congressman Amodei spoke about the Pershing County Land’s Bill and the NAS Fallon proposed expansion. He briefly discussed Yucca Mountain, stating that even if it was approved today, it would take time before material started being stored there. He discussed the I-11 route and spoke about trade. Congressman Amodei stated that the 2<sup>nd</sup> Congressional District is the biggest trade hub with Canada. He spoke about the fire season and preventative fire suppression.

Mr. Rackley spoke about the need to rebuild the jail and the tremendous cost. He asked if there is any federal assistance available. Mr. Amodei will have his staff look into it and will get back to us.

The meeting recessed at 11:03 a.m. for a Litigation Meeting and reconvened at 11:18 a.m.

**REPORT FROM LEGAL COUNSEL:** Mr. Shields stated that he would be attending a meeting at NAS Fallon tomorrow to discuss the draft EIS for their expansion.

**REPORT FROM ADMINISTRATIVE ASSISTANT:** Mrs. Wesner reported that she sent out the updated job descriptions to the various departments and is awaiting feedback. She will be scheduling a Department Head meeting soon.

**ITEMS FOR FUTURE AGENDAS:** Mrs. Shank stated that the second November meeting falls the day before Thanksgiving. She asked if the Board had any appetite to move it to November 20<sup>th</sup>. Mr. McDougal and Mr. Rackley agreed. An item will be put on the next agenda.

Mrs. Shank spoke about the meeting with the Department Heads about security concerns. She hasn’t received any feedback. Mr. McDougal suggested addressing it at the September 5<sup>th</sup> meeting.

**JERRY ALLEN, SHERIFF’S DEPARTMENT:** Mr. Rackley stated that Sheriff Allen had to leave, but he did give him some information regarding the agenda items..

**WAIVER FOR FIRE INSPECTIONS ON LICENSE APPLICATIONS FOR 2018 BURNING MAN, BLACK ROCK CITY** – Sheriff Allen is not in agreement with waiving the inspections.

Mr. McDougal stated that they still haven’t nailed down the whole process of fire inspections and he would like to see a 1 year waiver for those temporary businesses.

Mrs. Shank made a motion to approve waiving the fire inspections on license applications for the 2018 Burning Man event. Motion seconded by Mr. Rackley and passed.

**CORRESPONDENCE:** Mrs. Shank did receive an email from the BLM about a cooperating meeting regarding greater sage grouse. She will forward it to Mrs. Wesner.

**MATTERS OF THE BOARD FOR DISCUSSION, BOARD MEMBER REPORTS, BOARD LIAISON REPORTS:** Mr. Rackley received a federal jury summons for the week of August 13<sup>th</sup>; however, he has been excluded. There is a Recycling Board meeting on August 13<sup>th</sup> and an Airport Board meeting on August 14<sup>th</sup>. The TV channels have been down due to fires.

Mr. McDougal made a suggestion to add Jet A fuel at the Airport. Mr. Rackley has spoken to Armstrong Consultants about this. They don’t feel the number of sales would justify the expense and it also doesn’t store well.

Mrs. Shank didn’t have anything to report.

Mr. McDougal reported that on July 26<sup>th</sup> he attended the Interim Committee on Public Lands meeting in Battle Mountain. He read a written statement compiled with the help of Mr. Shields and Dagny Stapleton from NACO (Nevada Association of County Officials) regarding the impacts of public lands on the county.

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

**APPROVAL OF VOUCHERS:** Mrs. Shank made a motion to approve the vouchers as submitted. Motion seconded by Mr. Rackley and passed.

As there was nothing further to come before the Board, the meeting adjourned at 12:05 p.m.

Approved 10/17/18: \_\_\_\_\_ /s/  
Robert McDougal, Chairman

Attest: \_\_\_\_\_ /s/  
Lacey Donaldson, Clerk