

MAY 15, 2019

The meeting was called to order at 8:30 a.m. by Larry Rackley, Chairman. Those present were Robert McDougal and Carol Shank, 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 of April 3, 2019 and April 17, 2019 as submitted. Motion seconded by Mrs. Shank and passed.

PUBLIC INPUT: Carolyn Hultgren asked about Nabodoka's "Voted No. #1" billboard. It was noted that the marijuana dispensary is located in the Lovelock Paiute Indian Colony.

Elaine Knight, Frontier Community Action Agency spoke about the Summer Food Service Program and asked about using the Community Center and the Park. An action item will be put on the next agenda; however, Ms. Knight will not be able to come to the meeting. The Board instructed Ms. Knight to speak with Mr. Handka to address any concerns he may have.

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: Mrs. Shank 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:

SENIOR CENTER / VOLUNTEER PROGRAM – Jordan McKinney was present.

Mrs. McKinney reported that Southwest Gas has donated \$7,432.71 through their Fuel for Life Campaign. The Center will be providing transportation to the Wild Fur Affair event and Magic Show this Saturday. Mrs. McKinney will be conducting an AARP Driver Safety class on May 23rd. The Annual Birdhouse Raffle will be held on May 24th. Breakfast will be held at the Center on May 31st. The seniors will be attending an Aces baseball game on June 24th.

ROAD DEPARTMENT – Dan Hill was present.

Mr. Hill reported that Chris Casias has been blading in Grass Valley. Crews also mowed weeds on Coal Canyon Road, Herschell Road and Old Victory Highway. Mr. Hill stated that they've pretty much finished blading all the roads on the West side of the County. They did have to haul water to fix the C-Punch road up to the ranch. Gerry Monroe has been fixing washouts throughout the Rocky Canyon area, as well as Jungo Road and near Hycroft. He also worked up Coal Canyon. Kevin Machado and Bill Blondheim have been blading on the East side of the County. The screening plant has been moved to the Leach Hot Springs pit. Mr. Hill hopes to start making gravel for Grass Valley Road.

Mr. Rackley thanked Mr. Hill for spraying and pulling weeds at the Recycling Center.

LANDFILL & RECYCLING – Dan Hill was present.

Mr. Hill reported that there is a company coming to the Landfill tomorrow to demo a tire shredder at 10:00 am. Mr. Hill spoke about the SWANA (Solid Waste Association of North America) class that he attended. Mr. Hill stated that the networking was invaluable. Gerry Monroe cleaned up the Imlay Transfer Station. Imlay will be having a community cleanup this weekend. Grass Valley will be having a clean-up the following weekend and they have arranged for Hoss to bring some extra dumpsters.

BUILDINGS AND GROUNDS – John Handka was present.

Mr. Handka reported that members of the Recreation Board came and looked at the remodeled concession stand at McDougal field. They were all impressed. The re-carpeting of the Community

Center began last week. There was a delay in receiving the carpet, so it didn't get installed when Mr. Handka planned. It should be delivered today. Mr. Handka thanked Sheriff Allen for the use of four trustees during the demo of the old carpet.

Mr. Handka also reported that they have been attempting to spray weeds at the ballfields, but every time they get out there, the wind picks up.

Mr. Handka clarified that there are white windows that would match the existing windows at the Museum. Mrs. Shank stated that she is going to contact the historical society regarding the replacement. Mr. McDougal stated he wasn't worried about the color; he was worried about replacing the historical windows with something that doesn't exactly match.

PERSHING COUNTY FIRE/AMBULANCE DEPARTMENTS –

AMBULANCE REPORT: Chief Rodney Wilcox was present.

Chief Wilcox stated that the Ambulance has been very busy. The crew has been working on their CEUs (Continuing Education Units). Chief Wilcox also spoke about the new Ambulance Billing Company. The company did contact Mrs. Donaldson yesterday. They will take over trying to get the Medicaid Application approved.

LOVELOCK FIRE DEPARTMENT: Chief Wilcox and Mike Heidemann were present.

Chief Wilcox stated that they have Ops training scheduled in July. They will be doing an extrication training this month. Some of the firemen will be attending a Fire Conference in June in Laughlin. There is also a Fire Chiefs meeting scheduled for June 8th. Chief Wilcox stated that someone from the State Fire Marshall's office was here yesterday performing surprise inspections. They inspected the Community Center. Mrs. McKay has a copy of the inspection and will work on making the necessary corrections.

The Board had already received a written report from Mr. Heidemann.

LIBRARY – Request to advertise/hire vacant Library Technician I position: Mrs. Shank made a motion to approve the request to advertise and hire to fill the vacant Library Technician I position at the Library. Motion seconded by Mr. McDougal and passed.

LEPC – 2020 United We Stand Grant: Mrs. Shank made a motion to approve the 2020 United We Stand Grant submittal. Motion seconded by Mr. McDougal and passed.

It was noted that Mrs. Childs has received a copy of the grant.

IT DEPARTMENT – Justin Abbott was present.

Mr. Abbott reported that he has deployed the new anti-virus software to the Clerk-Treasurer's office and some of the servers. He is working on a solution for the older court records in the AS400, as well as a minute indexing system for Mrs. Donaldson. He has reached out to Devnet regarding their Business License module, as well as Planning and Permitting. They will be sending a contract addendum for Commission approval for the next meeting.

Mrs. Shank stated that Mr. Abbott had suggested that all employees take online cyber security training and a class is available through POOL/PACT. Mr. Abbott stated that he did review the course material and the classes should be added to the safety training.

PROCLAMATIONS AND AWARDS: YEARS OF SERVICE PIN/CERTIFICATE – Tina Gallagher was presented with a Pin and Certificate for five years of service.

ELECTED DEPARTMENTS:

LACEY DONALDSON, CLERK-TREASURER – Mrs. Donaldson reported that the preview of the tax auction went live on the Bid 4 Assets website on May 8th. The office has been fielding quite a few phone calls.

Approval of corrections/changes to the Tax Roll: There were no corrections or changes to the Tax Roll submitted.

Acknowledgment of 2018-2019 Delinquent Tax Notice Affidavit: Mrs. Donaldson explained that they mailed 758 notices to property owners with 1 year of unpaid taxes. 50 of those letters were returned and 41 were undeliverable.

Mrs. Shank made a motion to acknowledge the 2018-2019 Delinquent Tax Notice Affidavit. Motion seconded by Mr. McDougal and passed.

Approval of Resolution #19-0504, approving the sale of County Trust property: Mrs. Shank made a motion to adopt Resolution #19-0504 approving the sale of County Trust property as presented. Motion seconded by Mr. McDougal and passed.

RENE CHILDS, RECORDER-AUDITOR – Approval to purchase 6 computers and monitors to be paid from Recorder Tech/Map fees: Mr. McDougal made a motion to approve the purchase of six computers and monitors to be paid from the Recorder Tech/Map fees. Motion seconded by Mrs. Shank and passed.

Set special meeting date to certify the Tax Rate and Augment FY2019 budgets: The Special Meeting was scheduled for June 26th at 9:00 a.m.

BRYCE SHIELDS, DISTRICT ATTORNEY – Mr. Shields reported that he will be attending a Civil Law Conference today through Friday. Mr. Shields also reported that they are having issues with the office printer. He spoke with Sheriff Allen and there is money in the Civil Asset Forfeiture Account that could be used to replace it. Mrs. Childs asked that they keep her informed as there is only \$755.00 left in that budget, but she could augment it if needed.

JERRY ALLEN, SHERIFF – Sheriff Allen reported that there were 17 inmates in custody this morning. A few of them have had some health issues, so over-time has been utilized to take care of those issues. There are four inmates helping out with pool repairs today and then they will continue helping with the carpet at the Community Center. Sheriff Allen stated that they've also had two Legal 2000 transports in the last 48 hours. The Youth Resource Officer Grant application was submitted Friday morning. He has also submitted grants to POOL/PACT for training and equipment. Mrs. Shank asked if we had billed the School District for the portion they budgeted for the Youth Resource Officer. Sheriff Allen stated that he would send them a bill, but questioned if the money was available this fiscal year. Mrs. Shank thought it was. Sheriff Allen will contact Superintendent Fecht to verify.

UPDATE ON PROGRESS OF SITE LOCATION, DESIGN, FUNDING, AMENITIES AND CONSTRUCTION OF FUTURE LAW ENFORCEMENT CENTER: Mr. Rackley has been working with the land owner and the real estate agent.

11th JUDICIAL DISTRICT COURT, YOUTH AND FAMILY SERVICES: REQUEST TO PLACE 2005 FORD TAURUS, VIN #1FAFP53U65A181369, IN THE COUNTY AUCTION – Mr. McDougal made a motion to approve the request by the 11th Judicial District Court, Youth and Family Services to place the 2005 Ford Taurus, VIN #1FAFP53U65A181369, in an upcoming County auction. Motion seconded by Mrs. Shank and passed.

PROCLAMATIONS AND AWARDS: EMS WEEK PROCLAMATION –
Mrs. Shank made a motion proclaiming the week of May 13-19, 2019 Emergency Medical Services Week. Motion seconded by Mr. McDougal and passed.

GRASS VALLEY ADVISORY BOARD: Paul Schlehr was present.
Mr. Schlehr stated that the roads look good. Mr. Schlehr stated that he feels it is very inefficient to use a road grader for weed control. He also stated that the transfer station looks much better.
Mr. McDougal stated he thought they were using the road grader when they think the weeds are too far along for spray to be effective.

DERBY FIELD AIRPORT: Mr. Rackley stated that the building is complete. Mr. Evans came out for a final inspection and issued a CFO (Certificate of Occupancy). Mr. Rackley stated that there are six outside lights that are not working at night. They are supposed to look at them today.

APPROVAL OF AMENDMENT 1 TO THE ONGOING PERSHING COUNTY CONTRACT, WHICH REVISED ATTACHMENT B – SERVICE BILLING, WITH THE STATE OF NEVADA DEPARTMENT OF HEALTH AND HUMAN SERVICES: Mr. Shields stated that some of the hourly rates did slightly increase.

Mr. McDougal made a motion to approve Amendment 1 to the ongoing Pershing County Contract, which revised Attachment B – Service Billing, with the State of Nevada Department of Health and Human Services. Motion seconded by Mrs. Shank and passed.

TV ADVISORY BOARD: APPROVAL OF CONTRACT AGREEMENT WITH VALLEY TV & COMMUNICATION EFFECTIVE JULY 1, 2019 THROUGH JUNE 30, 2020 IN THE AMOUNT OF \$2,500.00 – Mr. McDougal made a motion to approve the agreement with Valley TV & Communication effective July 1, 2019 through June 30, 2020 in the amount of \$2,500.00. Motion seconded by Mrs. Shank and passed.

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

Mr. Evans stated he didn't have anything new to report. He did spend some time in Imlay making a few repairs. He has also been talking to another diving company in regards to the cleaning and repairs to the tanks. They are \$1500 to \$2000 cheaper than our current company.

ADOPTION OF THE 2018 IRC & INTERNATIONAL BUILDING CODE (IBC) – Mr. McDougal stated that there aren't significant changes, but he would recommend adopting the 2018 Code effective January 1, 2021. Mr. Rackley asked why we would wait so long. Mr. McDougal stated that this gives people, contractors, etc. a significant amount of time to prepare for the change.

Mr. Shields explained that if the Board wants to go forward they will have to put a first reading of the proposed ordinance on a future agenda and then hold public hearings before this would go into effect. Mr. Shields also stated that he doesn't see a reason to have a law on the books or providing notice for something that won't take effect for 18 months. The Board discussed looking at this again next June.

FIRST READING OF A PROPOSED AMENDMENT TO CHAPTER 302 AND CHAPTER 304 OF THE PERSHING COUNTY DEVELOPMENT CODE TO AUTHORIZE WINE MANUFACTURING AS AN ALLOWED USE, SUBJECT TO A SPECIAL USE PERMIT, IN THE FOLLOWING REGULATORY LAND USE DISTRICT; LOW DENSITY RURAL, MEDIUM DENSITY RURAL, LOW DENSITY SUBURBAN, AGRICULTURAL-MINING-RECREATION, GENERAL RURAL, GENERAL RURAL NON-AGRICULTURAL RESERVE: Mr. McDougal asked why this is restricted to wine. Mr. Shields stated that he received a specific request regarding wineries. Mr. McDougal asked if it could be re-written to include other spirits. Mr. Shields stated that he could make those changes.

Mrs. Shank introduced Bill No. 336 and read it by title as follows:

AN ORDINANCE AMENDING TITLE 17 OF THE PERSHING COUNTY DEVELOPMENT CODE, WITHIN CHAPTER 302, ALLOWED USES, AT SECTION 17.302.05-3, TABLE OF USES (COMMERCIAL USE TYPES) TO ALLOW A NEW USE TYPE TITLE "WINERY" IN THE LOW DENSITY RURAL, MEDIUM DENSITY RURAL, LOW DENSITY SUBURBAN, AGRICULTURAL-MINING-RECREATION, GENERAL RURAL, AND OPEN SPACE, GENERAL RURAL NON-AGRICULTURAL REGULATORY LAND USE DISTRICTS; WITHIN CHAPTER

304 (USE CLASSIFICATION SYSTEM) AT SECTION 17.304.30 (CC) TO CREATE A NEW USE TITLE "WINERY" THAT WOULD ALLOW WINERIES TO BE ESTABLISHED IN CERTAIN REGULATORY ZONES SUBJECT TO A SPECIAL USE PERMIT AND APPLICABLE LOCAL AND STATE LICENSES.

ACCEPTANCE OF CONTRACT BETWEEN THE COUNTY AND THE PERSHING COUNTY SCHOOL DISTRICT PERTAINING TO THE COUNTY'S ACQUISITION OF SCHOOL DISTRICT PROPERTY (WHICH WILL BE USED AS A COMMUNITY PARK) IN IMLAY, NEVADA IN EXCHANGE FOR IN-KIND SERVICES CONSISTING OF THE COUNTY CLEARING AND CLEANING-UP ANOTHER PARCEL OWNED BY THE SCHOOL DISTRICT IN IMLAY: Mrs. Shank made a motion to approve the contract between the County and the Pershing County School District pertaining to the County's acquisition of School District property as presented. Motion seconded by Mr. McDougal and passed.

SEAN GEPHART, NEVADA DEPARTMENT OF AGRICULTURE: PRESENTATION OF NOXIOUS WEEDS IN PERSHING COUNTY – Mr. Gephart gave a presentation on noxious weeds. Noxious weeds are broken out into three categories – A, B & C. Pershing County has both Category B and C weeds, including medusa head, perennial sowthistle, Canada thistle, hoary cress, perennial pepperweed, saltcedar and Russian knapweed. Mr. Gephart also spoke about the Cost Share Abatement Program, which covers 80% of costs following abatement. The program identifies the weeds needing control and provides a specified Weed Management Plan.

Carl Clinger stated that he knew the Forest Service requires use of Weed Free Hay and asked if the same was true for the BLM (Bureau of Land Management). Mr. Gephart stated that it depends on the area and they are not as stringent as the Forest Service. They are working with the BLM to increase their participation. Mr. Gephart stated that they do have NDOT's (Nevada Department of Transportation) participation on the roadways.

Mr. Clinger also spoke about the mapping issues they have had. He recently reached out to the BLM to check the status of the maps of the weed infestation and didn't receive a response. Mr. Clinger also stated that through the years they have tried to maintain that they are here to help, not to regulate. Mr. Clinger stated that they want private landowners to welcome the mappers onto their property so that they know where the weeds are.

The meeting recessed at 11:05 a.m. for a Litigation Meeting and reconvened at 11:07 a.m.

REPORT FROM LEGAL COUNCIL: Mr. Shields had nothing to report.

REPORT FROM ADMINISTRATIVE ASSISTANT: Mrs. Wesner responded to the two BDRs that NACO requested info on. She received two new BDRs yesterday. She has been receiving phone calls from Imlay residents in regards to gnats and mosquitos. She called Jerry Frey and he suggested that we wait. It was noted that we haven't sprayed for the last two years. Mrs. Wesner also reported that employee contract negotiations have started. She has also been trying to get in touch with the BLM to ask someone to come give an update to the Board, but has had no luck.

ITEMS FOR FUTURE AGENDAS: Mr. Rackley would like an item on a future agenda regarding the Enterprise Fleet Management proposal.

2019 LEGISLATIVE UPDATES: Mr. McDougal spoke about water bills being followed by Humboldt River Basin and Central Nevada Regional Water Authority (CNRWA). One of the bills has already failed. AB30 went to a re-write and LCB (Legislative Council Bureau) messed it up. Central

Nevada Regional Water Authority has agreed to work with them in a work session to see if they can get it straightened out. If CNRWA's suggestions are considered they will take a neutral stance on the bill.

UPDATE ON THE PERSHING COUNTY ECONOMIC DEVELOPMENT AND CONSERVATION ACT: The Board did not have any new information.

MATTERS OF THE BOARD FOR DISCUSSION; BOARD MEMBER REPORTS; BOARD LIAISON REPORTS: Mr. McDougal mentioned his attendance at the Humboldt River Basin and Central Nevada Regional Water Authority meetings. He also stated that he will not be attending CNRWA's next meeting Friday as he will be headed out of country.

Mrs. Shank didn't have anything, but she did state that she will not be at the next Commission meeting as she will also be out of country.

Mr. Rackley stated that the Recycle Center will be closed May 31-June 1. The 911 Committee met May 5th. They were presented with 911 equipment costs. TV Board meets next Tuesday.

CORRESPONDENCE: There was no additional correspondence discussed.

PUBLIC INPUT: Mr. Clinger stated that the Big Meadow Conservation District passed out 450 elderberry trees to the Pershing County elementary school children on Monday. The Recycling Center provided the proper containers for the trees this year. Mr. Clinger also stated that in conjunction with the tree give-away, they also started a new Ag Education/Ag Awareness Program. Each child was given a "Garden in a Glove" kit. Mr. Clinger stated that Christie Scilacci, the District's Conservationist, did a wonderful job putting the kits together.

VOUCHERS: Mrs. Shank made a motion to approve the vouchers with the exception of a voucher for Vendor #681, Larry Rackley. Motion seconded by Mr. McDougal and passed.

Mrs. Shank made a motion to approve the voucher for Vendor #681, Larry Rackley. Motion seconded by Mr. McDougal. Mr. Rackley abstained. Motion carried.

As there was nothing further to come before the Board, the meeting adjourned at 11:30 a.m.

Approved 7/3/19: _____/s/
Larry Rackley, Chairman

Attest: _____/s/
Lacey Donaldson, Clerk