

## SEPTEMBER 18, 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 from September 4, 2019 as corrected. Motion seconded by Mrs. Shank and passed.

**PUBLIC INPUT:** Becky Andres, BLM (Bureau of Land Management) Law Enforcement Planner for the Burning Man Event, thanked Pershing County for their continued support and collaboration. She also thanked the Sheriff's office and District Attorney's office.

A memorandum was received from Judge Shirley regarding a recent Nevada Supreme Court decision that defendants in misdemeanor domestic battery cases are entitled to a jury trial. Judge Shirley doesn't foresee an increase in expenses as a result, but there could be. Judge Shirley will continue to monitor the situation and inform the Board if an increase to the budget is needed.

**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 didn't see any items that would impact 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:**

**ROAD DEPARTMENT** – Gerry Monroe was present.

Mr. Monroe reported that they started on the Rogers bridge project by building a detour around it. The lumber has been ordered, but will not be delivered for approximately two weeks. Mr. Monroe also reported that they made gravel at the Leach Hot Springs pit for the Mud Springs project. The crew also mixed salt and sand in preparation for this winter. Mr. Monroe had two water trucks and a blade fixing blowouts behind Rye Patch. The crew helped Mr. Evans fix a water leak in front of the Imlay Post Office. They also fixed a cattle guard South of Mason Road and did some patching up Coal Canyon. Mr. Monroe stated that they are prepping to demo the School District's house in Imlay on Apache Street. They cut up some trees that had fallen in the County yard.

Mr. Monroe also reported that he will be meeting with someone from LA Perks tomorrow in Imlay. They are coming out to look at the printer on the fuel management system, as it hasn't been printing very well. It was also noted that they picked up more bug spray for the fogger and Mr. Casias will continue fogging as long as it is effective. Mrs. Shank stated that she did receive another complaint last week.

**IMLAY FIRE DEPARTEMENT** – Gerry Monroe was present.

Chief Monroe stated that they have ordered new SCBAs (Self-Contained Breathing Apparatus). There will be a Chief's meeting on October 8<sup>th</sup>.

**LANDFILL** – Mitch Nielsen was present.

*Approval of Out of State travel and higher hotel room rate to attend Certification Training in Phoenix, AZ on October 19-24, 2019:* Mr. Nielsen stated that he didn't have rates for the hotel room or the flights yet. He did look into hotel prices and they are running around \$100 a night.

Mr. McDougal made a motion to approve the Out of State travel and higher hotel room rate for Mr. Nielsen to attend the Certification Training in Phoenix, Arizona on October 19-24, 2019 with the understanding that Mr. Nielsen seeks the lowest rates. Motion seconded by Mrs. Shank and passed.

*Update:* Mr. Nielsen reported that there has been some damage done to the backstop at the Grass Valley Transfer Station again. They have also been having an issue with illegal dumping in the burn area. They have been billing the individuals when possible, but he would like to meet with the Grass Valley Advisory Board to go over the rules and answer any questions people may have. The burn area in Imlay was cleaned up last week and will be burned when feasible. Mr. Nielsen stated that the Landfill should have their annual inspection in November. Mr. Nielsen also reported that the dozer has been at Cashman Equipment for the last three weeks.

*Approval of NDEP Grant application for the Big Meadow Recycling Center:* Mr. Rackley submitted the grant on September 9<sup>th</sup>. The funding will be used to purchase new bins. The grant amount is \$8,100.

Mrs. Shank made a motion to approve the submittal of a NDEP Grant application in the amount of \$8,100 to purchase new bins for the Recycling Center. Motion seconded by Mr. McDougal and passed.

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

Mr. Handka reported that there were a couple wind storms that blew down some trees and branches. The crew is prepping the pool for it to be covered this Friday.

Mr. Handka also reported that he and Mr. Rackley came up with a compromise regarding the installation of the new sign for the Airport.

Mr. McDougal asked if Mr. Handka expected to have to do a fair amount of work to the bath houses. Mr. Handka stated that it depends on the winter. We do need to purchase a new pool cover. Mr. McDougal stated that the Recreation Board will investigate options.

Mr. Handka stated that he has been working with the youth soccer association regarding how often the crew mows the grass at McDougal Field. Mr. Handka is also looking at alternatives for the grass.

**SAFETY** – Cheryl Haas was present.

Ms. Haas reported that she is still working on getting all the employees up to date with their training. She is trying to schedule training for Buildings and Grounds, the Road Department and the Sheriff's office. Once the end of summer workload slows down, she will do a hands-on training for them. POOL/PACT is in the process of switching their e-learning program. Ms. Haas also reported that she is starting back up the monthly safety meetings in October and they will work on building inspections. After she gets everything caught up, she will start revising the policy manuals.

**EMERGENCY OPERATIONS MANAGER/LEPC** – Charlie Sparke was present.

Mr. Sparke stated that SERC (State Emergency Response Commission) hasn't met in two quarters, so no grants have been approved. He also hasn't heard anything regarding the Federal grant.

**IT DEPARTMENT** – Justin Abbott was present.

Mr. Abbott reported that he is working on the Kaseya implementation.

*Approval to purchase Office 365 licenses (a mix of G1 and G3 plans) to exceed budgeted amount of \$19,635.00:* Mr. Abbott explained the two plans. His final quote is actually less than the budgeted amount at \$13,549.47. Mr. Abbott stated that he would still like approval for the original amount in case there are unforeseen expenses.

Mr. McDougal made a motion to approve the purchase of Office 365 licenses as presented, not to exceed the budgeted amount of \$19,635.00. Motion seconded by Mrs. Shank and passed.

**ELECTED DEPARTMENTS:**

**LACEY DONALDSON, CLERK-TREASURER** – Mrs. Donaldson stated that she completed her Presidency of the County Fiscal Officers Association with the close of this year's conference and is very happy to hand that torch to someone else. The advertisement for the vacancy in the office closed on Monday. Mrs. Donaldson did receive quite a few applications that she will review. Interviews will be scheduled for next week. Mr. McDougal asked if any of the applicants worked in other County Departments. Mrs. Donaldson stated that they do not.

**RENE CHILDS, RECORDER-AUDITOR** – Mrs. Childs gave the Board the monthly fund balance report. Mrs. Childs also attended CFOA last week and gave kudos to Mrs. Donaldson and her team for putting on a great conference. She attended several auditor meetings while at the conference. Regarding the Tyler software conversion, they are working on setting up a centralized training for budget preparations. Mrs. Childs is still apprehensive about moving forward on the business licenses. She asked where we are at regarding a new program, as ADS will be done December 31<sup>st</sup>.

**BRYCE SHIELDS, DISTRICT ATTORNEY** – Mr. Shields reported that Mr. Banks attended the Prosecutor's Conference last week in Las Vegas. Mr. Shields gave an update on the letters that were sent to landowners suspected of blocking county road access. The landowners were given until September 9<sup>th</sup> to remove any barriers. Mrs. Machado drove out just before the deadline and all gates have been unlocked. She did find a couple gates we were unaware of and spoke with landowners about unlocking them.

**JERRY ALLEN, SHERIFF** – Sheriff Allen reported that there are 15 inmates currently in custody. The Department is still fielding reports from the Burning Man event. Sheriff Allen stated that he is working on submitting a grant for OHV (off highway-vehicle) funding. The Department participated in a search and rescue mission in Trinity Canyon. They found the vehicle and worked with Carson City to bring in horses, but the person has not been found.

Sheriff Allen also reported that he spoke with Mike Lambert about the Youth Resource Officer (YRO) grant this morning and we were successful. This will be the last year we are eligible for funding. Sheriff Allen stated that he conducted four interviews for potential employees and has two more scheduled. It was noted that there are currently two open positions. Sheriff Allen stated that all the prospects are CAT III officers.

Mr. McDougal asked about the After Action Report for Burning Man. Sheriff Allen stated that he should have it ready in about a month.

**JUSTICE COURT – Salary Resolution, M. Ortega:** Mrs. Shank made a motion to approve the Salary Resolution for Megan Ortega, moving her from an Administrative Clerk I, Range 23, Step I, to an Administrative Clerk II, Range 26, Step 2 effective September 16, 2019. Motion seconded by Mr. McDougal and passed.

**UPDATE ON PROGRESS OF SITE LOCATION, DESIGN, FUNDING, AMENITIES AND CONSTRUCTION OF FUTURE LAW ENFORCEMENT CENTER:** Mr. Shields stated that the last he heard the deeds have still not been recorded.

**PROCLAMATIONS AND AWARDS:** There were no Proclamations or Awards considered.

**GRASS VALLEY ADVISORY BOARD:** Paul Schlehr was present.

Mr. Schlehr spoke about the use of a road grader to cut down weeds, stating that it is not a very effective way to manage them.

Mr. Rackley stated that he has received an estimate to repair the cattle fence. Mr. McDougal suggested that Dan Hill come to the next Advisory Board meeting if they want to discuss maintenance around the mail boxes, etc.

**ALAINE NYE, AMERICORPS:** PRESENTATION OF AMERICORPS RECOGNITION, REPORTING OF NUMBERS SERVED AT THE SUMMER FOOD SERVICE PROGRAM, VOLUNTEER HOURS; PRESENTATION OF APPRECIATION OF COMMUNITY CENTER AND BUILDINGS AND GROUNDS SUPERVISOR – Ms. Nye stated that the program started on June 10<sup>th</sup> and ended on August 9<sup>th</sup>. In June they were open 15 days, serving 1,204 meals. In July they were open 20 days, serving 1,377 meals. They were open 6 days in August and served 369 meals for a total of 2,950 total meals served.

Ms. Nye also presented Lesley McKinney a Certificate of Appreciation for 330 hours of service to the program. Mrs. McKinney also organized 21 volunteers that contributed a total of 535.5 hours. Ms. Nye also presented a Certificate to the Community Center and Buildings and Grounds.

**DERBY FIELD AIRPORT:** APPROVAL TO GO TO BID FOR ENGINEERING SERVICES / REQUEST FOR PROPOSALS – Mike Dikun was present on behalf of Armstrong Consultants.

Mr. Dikun stated that our contract with Armstrong expired July 3, 2018. The notice needs to be published in a newspaper for two weeks. Mr. Dikun suggested giving two to three weeks for consultants to respond.

Mrs. Shank made a motion to go out to bid for Airport Engineering Services. Motion seconded by Mr. McDougal and passed.

Mr. Rackley stated that they have a plan to hang the new sign at the Airport and will get it done.

**DISCUSSION REGARDING A RESOLUTION AMENDING THE CAPITAL IMPROVEMENT AND PUBLIC SAFETY PROJECT PLAN TO PROVIDE CHANGES TO THE FUNDING, PRIORITY AND ORDER OF CAPITAL IMPROVEMENT PROJECTS:** Mr. Rackley stated that he hasn't been able to meet with the Fire Chiefs. Mrs. Shank and Mr. McDougal stated that there are items that can come off as they are completed. Mrs. Shank also wanted to open up #2 to be able to buy more vehicles if funding allowed. Mr. McDougal spoke about taking out the "not to exceed" amount as costs do increase. Mr. Shields stated that there has to be some certainty in the language. In #3 Mrs. Shank would like there to be language that if there is funding available in the Ambulance Fund that it is used first.

The board will discuss this further after the next Chiefs meeting.

**PUBLIC HEARING TO CONSIDER AN APPLICATION FILED BY NV ENERGY FOR A FRANCHISE AGREEMENT WITH PERSHING COUNTY PERMITTING SAID APPLICANT TO OPERATE AND MAINTAIN AN ELECTRIC SYSTEM IN PERSHING COUNTY FOR THE SOLE PURPOSE OF PROVIDING ELECTRIC SERVICE WITHIN THE RIGHTS-OF-WAY FOR WHICH NV ENERGY HOLDS A CERTIFICATE AND TO PERFORM ROUTINE MAINTENANCE ACTIVITIES ON ITS FACILITIES WITH THE RIGHTS-OF-WAY:** Linda Bissett, NV Energy Government Relations, and Bob Rice, NV Energy Area Service Manager, were present.

Mr. Shields gave an overview of the Franchise Agreement. The previous agreement was for 50 years and expired on August 20, 2019. The funds generated go to the School District. It was noted that on top of this agreement, we are allowed to enact a fee that would go back to the County as well. Ms. Bissett will get the Board some more information on an approximate amount that would generate.

Mr. Rackley asked if there was any public comment. Mrs. Hultgren asked about the utility in Rye Patch. Mr. Rackley stated that he is still working on selling the utility to NV Energy. Paul Schlehr asked about the billing in Grass Valley as they use Humboldt County's zip code. Ms. Bissett stated that they are changing their system to use APN instead of zip codes.

Mr. McDougal made a motion to renew the NV Energy Franchise Agreement with Pershing County permitting applicant to operate and maintain an electric system in Pershing County for a term of 20 years. Motion seconded by Mrs. Shank and passed.

**REPORT FROM LEGAL COUNSEL:** Mr. Shields asked if the Board had any questions regarding Judge Shirley's memo. They did not.

**ITEMS FOR FUTURE AGENDAS:** Mrs. Shank gave the Board a list. Mr. Shields would like an agenda item to give Mr. Handka permission to get rid of the books currently in storage as Mr. Handka sees fit. Mr. McDougal spoke with Mayor Giles and he would like to have a closed personnel session prior to the fire department meeting as he feels there are some personnel issues that need to be discussed. Mr. Shields stated that isn't permitted.

Mr. McDougal stated that the Board needs to respond to NDOT's (Nevada Department of Transportation) letter regarding the speed limit on the frontage road from Westfall Road to Toulon.

**REPORT FROM ADMINISTRATIVE ASSISTANT:** Mrs. Wesner reported that she has been working on the bid specs for the playground. Once reviewed by Mr. Shields she will bring it before the Board.

**CORRESPONDENCE:** LETTER FROM NDOT REGARDING REQUEST TO INCREASE SPEED LIMIT ON FRONTAGE ROAD (FRPE01), WESTFALL ROAD TO TOULON, PERSHING COUNTY— Mr. McDougal stated that State Route 447 between Nixon and Gerlach has a 70 mph speed limit and is not as good of a road. He also mentioned State Route 278 out of Carlin. The Board will draft a letter appealing NDOT's decision.

**MATTERS OF THE BOARD FOR DISCUSSION, BOARD MEMBER REPORTS, BOARD LIAISON REPORTS:** Mr. McDougal attended the Humboldt River Basin Water Authority meeting. He mentioned that Bennie Hodges serves as the Chairman of that Board. Mr. McDougal feels that even though Mr. Hodges has retired, the County should continue his appointment to that board. Mr. McDougal also mentioned that on September 24<sup>th</sup> he will be participating on a panel with the Nevada Water Resources Association to talk about Water Resource Plans. September 25<sup>th</sup> is the regular quarterly meeting of the Central Nevada Regional Water Authority meeting.

Mrs. Shank stated that she was appointed to the State Board of Trustees of the Fund for Hospital Care to Indigent Persons. The Cemetery Board held interviews for the vacant administrative clerk position and Cheryl Haas was selected. Ms. Haas will now oversee Safety, Cemetery and Community Health Nurse. Mrs. Shank will be attending the Frontier Community Coalition meeting on Monday. Kim Burgess will be there to speak about the 2020 Census. Mrs. Shank also reported that she will be taking a tour of Coeur Rochester tomorrow and a tour of Switch on September 24<sup>th</sup>. She will be attending a Broadband Workshop at Lawlor on Friday. The annual NACO (Nevada Association of County Officials) Conference is September 25<sup>th</sup> and 26<sup>th</sup>. Mrs. Shank will attend the Grass Valley Advisory Board meeting at the end of the month as well.

Mr. Rackley will also be attending the Switch tour on the 24<sup>th</sup> and the NACO Conference. He reported that Channel 5 has obtained an agreement with the land owner on Virginia Peak in Elko and we have Channel 5 from Reno back up and running.

It was noted that the Community Health Nurse's office will be putting on the annual Drive-through Flu Pod next Thursday at the Community Center.

**PUBLIC INPUT:** Mr. Abbott asked if he could participate in the Switch tour as well. Mrs. Shank will find out.

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

As there was nothing further to come before the Board, the meeting adjourned at 11:20 a.m.

Approved 11/6/19: \_\_\_\_\_ /s/  
Larry Rackley, Chairman

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