

**MINUTES OF THE BOARD OF CHURCHILL COUNTY COMMISSIONERS**

155 N. Taylor St., Fallon, NV 89406  
September 15, 2021

**CALL TO ORDER.**

PRESENT: Commissioner H. Peter Olsen, Jr., Chairman  
Commissioner Gregory Koenig, Vice-Chairman  
Commissioner Justin Heath  
Comptroller Sherry Wideman  
Chief Civil Deputy District Attorney Benjamin D. Shawcroft  
Clerk/Treasurer Linda Rothery  
Deputy Clerk to the Board Pamela D. Moore

ABSENT: County Manager Jim Barbee

**Pledge of Allegiance:**

The Pledge of Allegiance was recited by the board and public.

**Public Comment:**

Chairman Olsen asked if there was any public comment.

Jake Vialpando, Acting Field Manager of the Stillwater Field Office of the Bureau of Land Management (BLM) had the following PowerPoint presentation:



## CHURCHILL COUNTY

- **RENEWABLE ENERGY – Geothermal (GT)**
- **Dixie Meadows GT (ORMAT)**
  - EA, FONSI and Decision documents have been completed
  - Memorandum of Agreement has been signed by BLM, ORMAT, Navy, SHPO and ACHP
- **Diamond Flat GT**
  - ORMAT proposes drilling and testing up to 19 exploration wells
  - Projects up to 54 acres of disturbance
- **Comstock GT**
  - ORMAT proposes drilling and testing up to 10 exploration wells
  - Projects up to 49 acres of disturbance



## CHURCHILL COUNTY

### AREVIA POWER - VIRTUAL PUBLIC MEETINGS FOR LIBRA SOLAR PROJECT

- Two virtual public meetings - Sept. 20 and 21.
- Project in Mineral County east of Yerington, NV.
- Arevia Power (<https://www.areviapower.com>) has applied to BLM for a 30-year grant. Construction is anticipated to last 12 months and will encompass approximately 5,413 acres of public lands.
- The purpose of this stakeholder meeting is to provide information on the proposed project and to solicit input for the Variance Approval as required by the Solar Energy Development Programmatic Environmental Impact Statement Record of Decision <https://solareis.anl.gov>
- **Meeting information for September 20<sup>th</sup>, 6:00 – 8:00 p.m. (PDT) is as follows:**
- <https://epdsolutions.zoom.us/j/88968856568>
- Or Telephone:
- Dial (for higher quality, dial a number based on your current location):
- US: +1 213 338 8477 or +1 669 219 2599 or +1 206 337 9723 or +1 929 205 6099
- Webinar ID: 889 6885 6568
- **Meeting information for September 21<sup>st</sup>, 6:00 - 8:00 p.m. (PDT) is as follows:**
- <https://epdsolutions.zoom.us/j/81353514013>
- Or Telephone:
- Dial (for higher quality, dial a number based on your current location):
- US: +1 669 219 2599 or +1 213 338 8477 or +1 206 337 9723 or +1 929 205 6099
- Webinar ID: 813 5351 4013





# CHURCHILL COUNTY

## • GRAZING MANAGEMENT

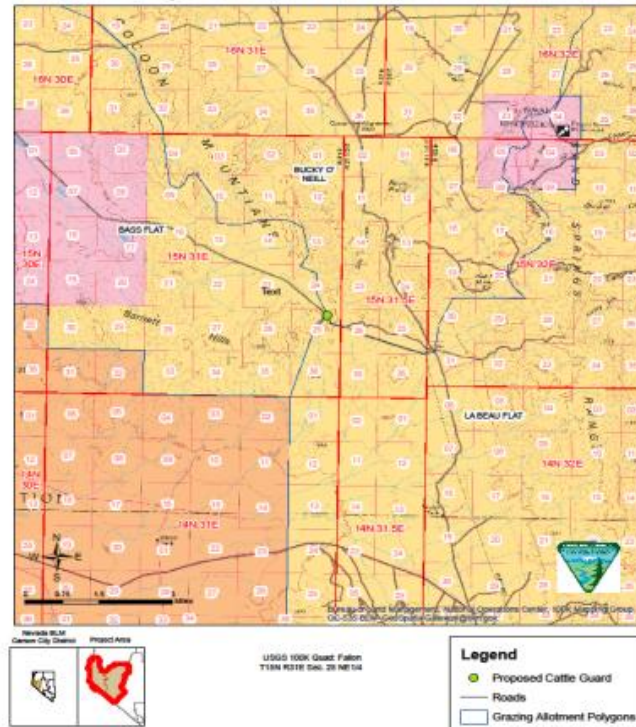
### • *Edwards Porter Grazing Permit Renewal*

- Stay Request received by Wildlands Defense/Lara Leigh
- BLM response submitted to ALJ 8/23
- Awaiting ALJ's Decision

### • *La Beau Flat Cattle Guard Proposal*

- Cattle guard to be installed on Paiute Pipeline Rd, Diamond Field Jack Wash
- Current road maintenance responsibilities and future CG maintenance STBD

Proposed La Beau Flat-Bass Flat Cattle Guard



# CHURCHILL COUNTY

## • Recreation

### • *V2R Post Race Report*

- Bonnie Claire (Start) to Redlich is done
- North end road work has been hampered by smoke and the death of a BITD employee assigned road rehab work.
- Road rehab work planned to be done by 9/13
- BITD is working w/VORRA on a segment that overlaps VORRA races in Yerington area.



Kevin Smith said I am going to read a letter that was written by the Sheriff in Arkansas stating his stand on the unconstitutional mandates by the individual sitting in the office of the President, demonstrating the Sheriff's integrity in upholding his oath and defending the Constitution and the citizens' rights of his county as every county official should be doing nationwide and in Churchill County.

“Since March of 2020 we have seen much controversy of COVID, mandates, restrictions of rights, vaccines and the coercion used to mandate individuals into taking them. Among the many number of different things, We have seen an unprecedented amount of hate, division, and contention among Americans. With the roll-out of COVID vaccines, that division has become more and more widened and the vitriol more intense between those who believe in the vaccines, those who don't, and those who are undecided. As law enforcement officers, our first duty and what we swear an oath to is to defend and support the Constitution of the United States and the State of Arkansas. It is that defense and in the defense of individual liberties that this office has not and will not mandate the vaccine for any of our employees. Just like the flu shot, their choice to get vaccinated or not is theirs, just like the citizens and we respect their rights and decisions. I am not pro-vaccine, and I am not anti-vaccine. I am pro-freedom and I am for each person's constitutional right and their ability and responsibility to decide for themselves whether they should have the vaccine or wear a mask. I am appalled at the dictator-like things we are seeing from the government and the state and the county governments. It is an absolute tyranny and completely appalling. It flies in the face of everything our country has always stood for. It is only furthering the damage and division done to the people of this great nation.”

C.S. Lewis said of this, of all tyrannies, a tyranny sincerely exercised for the good or safety of its victims may be the most oppressive. It would be better to live under robber barons than under omnipotent, morally righteous, condescending, busy bodies. The robber baron's cruelty may sometimes sleep. His cupidity may, at some point, be satiated but those who torment us for our safety will continue without end because they do so with the approval of their own conscience. It is time for politicians and public servants to stand up and remember that their first and only responsibility is to protect people's rights, not ruin our lives. End of story. We the people of Churchill County demand the same from all of you that are elected here. Thank you for your time.

Deborah Walter said I am going to read a letter from a Sheriff in Nevada who is correctly stating his stance concerning recent illegal mandates by the sitting individual in the office of the President. He is also demonstrating his integrity and upholding his oath to defend the Constitution and the rights of the citizens in his county. Every county official should do this, nationwide.

“President Biden, I write you on Patriot's Day hoping to open some thought process and to enlighten you on several things, even if I doubt I do. The Constitution of the United States of America does not give any President the authority to make vaccines mandatory nationwide by Executive Order. An Executive Order is not a law. Laws are passed by the Legislative Branch not the Executive Branch. Nowhere is such power delegated to the Executive Branch and, in such cases, we must rely on the 10<sup>th</sup> Amendment, which states ‘The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states, respectively, or to the people.’ As the duly elected Sheriff of Eureka County, Nevada, I will not be enforcing the federal vaccine mandate you issued this week. This mandate is a violation of your oath and beyond the scope of your authority granted to you under the Constitution. With the 10<sup>th</sup> Amendment and Nevada state law in mind, I believe any agent of the government who enters a business with the intentions of enforcing a vaccine mandate is violating law and the

Constitution. Anyone who refuses to leave a business when asked to by a representative is subject to being charged with trespassing under NRS 207.200.

When I became Sheriff in 2019, I swore an oath before God, to support, protect and defend the Constitution of the United States of America. I fully intend to keep that oath. Therefore, no agent of any governmental agency has any authority in Eureka County to enforce or mandate any regulation that has been put in place, to date, by the federal or state government, including mask mandates, vaccine mandates or any other mandate that has not been passed by a Legislative branch with a 'shall' clause that complies with the Constitution of the State of Nevada and the United States Constitution.

We the people empower the government. The government does not empower the people. Enclosed is a pocket version of the United States Constitution. Hopefully, you will always have it with you so you can reference it before you attempt to walk on it any more than you have so far. Respectfully, a very pissed off American citizen and constitutional Sheriff. Signed Jesse J. Watts, Sheriff-Coroner, Eureka County, Nevada.”

Deborah Walter said I think Churchill County should follow the lead of so many other constitutional Sheriffs in other counties.

Amber Sanchez said at the last meeting I was here and provided one of these to each of you and I provided the link to Pam. I was wondering if you all had a chance to read this and see what I am talking about here. Did anybody do that or am I wasting my time? Anybody? You know that this interim operational considerations for implementing the shielding approach to prevent COVID 19 infections in humanitarian settings. This is off of the CDC website. Nobody? Okay. Yes, you did, you are familiar with it? Good, next question. What do you think of it and what are you going to do to protect us from this? This is tyranny right here, in a nutshell, on their website. What about the neighborhood level where it says, “neighbors swap households to accommodate high-risk individuals?” How do they plan on doing that? They take 2 people that live in a 4-bedroom house and swap it with a family of 6 that lives in a 3-bedroom house and say that is for everybody’s benefit. Chairman Olsen said, Amber, can you show me anywhere in the United States where this has been implemented? Amber Sanchez said no I can’t. My question is it is still on their website though. This is what they have planned for us should they decide to do so. That is the problem and just because it has not been implemented yet, does not mean that they don’t have the intention. This is what they are planning. This pops up #1 when you type in green zone humanitarian on their little search bar on their website; this is what you get. Everybody needs to go and read it and find out what our government has in line for us, should they decide that ooh COVID 19 is all of a sudden here. It is all just about COVID 19. My question is, did you guys think anything about this, I mean, or are you just going to let it ride until something does happen and then, how are we going to be protected from this? This is medical tyranny, in my opinion. I have zero tolerance for any kind of tyranny, let alone medical tyranny. I want to know how we are going to be protected. It is food for thought for all of you because you know, we as the citizen ring are going to be subjected to it and we look to you for protection and from the Sheriff’s Department and from our county government and, hopefully, from the state, but I doubt we get any from them. That is what I am asking. If you would just think about that, I would appreciate it. Commissioner Koenig said we are not going to let that happen. Amber Sanchez said I am glad to hear you say that. This stuff is very scary. If you read it, you know they have the household approach and the neighborhood and they have the community and they call it different things but that is what it is. It is quarantine camps, basically.

**Verification Of The Posting Of The Agenda.**

It was verified by Pamela D. Moore, Deputy Clerk to the Board, that the Revised Agenda for this meeting was posted on the 10th day of September 2021, between the hours of 8:00 and 9:00 AM at all of the locations listed on the Agenda, in accordance with NRS 241.

**Consideration And Possible Action Re: Approval Of Agenda As Submitted Or Revised.**

**Commissioner Koenig made a motion to approve the Revised Agenda as presented. Commissioner Heath seconded the motion, which carried by unanimous vote.**

**Appointments:**

1. Employee Service Awards for the Third Quarter 2021.

Employees receiving service awards during the Third Quarter of 2021 are:

<b>Name of Employee</b>	<b>Department</b>	<b>Years of Service</b>
Jason Stritenberger	Sheriff's Office	5 Years
Maria Gill	Library	5 Years
Julia Mello	Juvenile Probation Office	10 Years
Jamie Sunderman	Child Support Division	10 Years
Shannon Perez	District Attorney's Office	10 Years
Lonnie Montgomery	Child Support Division	15 Years
Jesse Nuckolls	Sheriff's Office	15 Years
Julie Gilmore	Clerk/Treasurer's Office	15 Years
Michael Nolan	Facilities, Parks & Recreation	15 Years
David Downs	Road Department	25 Years
Audra Bunker	Sheriff's Office	25 ears

2. **Consideration and possible action re: Application for community support funding in the amount of \$2,500 for the Churchill County Search and Rescue's Trunk or Treat Event.**

Rick McCusker said I am one of the few on the Search and Rescue without a job, so I am here. The Board of Directors at the Search and Rescue had originally suggested that we go to the county for \$2,500 for support for the Trunk or Treat Event. Last year, Ken Brown put the event together in a matter of days after the Downtown Merchants Association cancelled



theirs due to COVID. He was having a hard time and asked us to step in and assist and now he has turned it all over to us. The purpose is to make it a safe event for the little goblins, ghosts, and ghouls. We figured the Big 5 parking lot was not a safe venue due to traffic, so I suggested Venturacci Park and they approved it. With the request for money at our last meeting, I brought up the point that we have all these people that will be coming to the Trunk or Treat Event bringing their own stuff to pass out to the kiddos but we would be requesting taxpayer money and I said that is not a good idea and the majority of the board said yes, it would tend to give us a black eye in the taxpayers' view because we rely on donations from them for operations. We are recalling our application for \$2,500, however, if you guys want to throw us some support, we will take it.

Chairman Olsen asked if there was any public comment but there was none. He said I appreciate you pulling it on the reasoning you gave. Are the downtown merchants not doing it this year? Mr. McCusker said, according to Lucy at the Chamber of Commerce, the association dissolved. Chairman Olsen said, so this event won't happen unless you guys put it on? Mr. McCusker said correct. The Lions Club is having a separate one but I have no information on that. Chairman Olsen said, so you are having it whether we support it or not? Mr. McCusker said yes. Chairman Olsen said do you have an estimate of what the event would cost? Mr. McCusker said I have no idea because this is our first year of putting this thing together. Last year, Ken relied on donations from anybody who would give. I don't know what that cost last year. Commissioner Koenig said where did that \$2,500 number come from? Mr. McCusker said we just picked it out of the air. Commissioner Heath said is that just for candy? Mr. McCusker said that is for candy and decorations. Commissioner Heath said what is wrong with still doing that? Mr. McCusker said we don't want to take taxpayer money to do it. If you guys want to throw something at us, that is fine. We are not formally requesting it. Commissioner Heath said are you still doing the drive by? Mr. McCusker said if we get enough people, yes. I anticipate the event over at the park, we will be using about 8-10 members to do that and if we have more we will be driving around the neighborhoods passing out the light necklaces and that kind of stuff, which we pay for out of our pockets. It will be a fun event and the Sheriff even said he bought a costume, although he won't reveal what it is. Commissioner Koenig said it is a pumpkin. Mr. McCusker said that I would like to see. Chairman Olsen asked Civil DA Shawcroft, procedurally, here we accept applications and then we act on those. What if an application is withdrawn, and we want to do something? Civil DA Shawcroft said you are still agendized to where you can make an award anyway. Chairman Olsen said I think \$1,000 would buy a lot of candy, don't you? Commissioner Heath said I think they could use the extra money to buy more glowsticks for the kids. Mr. McCusker said, last year, we estimated about 6,000 kids there and almost everybody had a glowstick. Commissioner Heath said I am in favor of the \$2,500.

**Commissioner Heath made a motion to approve funding in the amount of \$2,500 to support the Churchill County Search and Rescue's Trunk or Treat Event. Commissioner Koenig seconded the motion, which carried by unanimous vote.**

3. **Consideration and possible action re: Approval of an Agreement for purchase of a Conservation/Restrictive Use Easement with Denver Scott Nygren on Assessor's Parcel Number 009-051-05, totaling 157.70 acres with 94.90 irrigated acres.**

Julie Guerrero, Administrative Services Manager, made this presentation as outlined in the Agenda Report.

Chairman Olsen asked if there was any public comment but there was none.

**Commissioner Koenig made a motion to approve the purchase of a Conservation Easement and 184 Transferrable Development Rights from the approved Sending Site, Assessor's Parcel Number 009-051-05. Commissioner Heath seconded the motion, which carried by unanimous vote.**

4. **Consideration and possible action re: Approval of an Agreement for purchase of a Conservation/Restrictive Use Easement with Randall Brent Evans and Kristen Arlene Evans, Co-Trustees of the QUAG Family Trust udo November 3, 2005 (formerly held under The Paulsen Family Trust), on Assessor's Parcel Number 007-911-53, totaling 144.40 acres with 96.79 irrigated acres.**

Julie Guerrero, Administrative Services Manager, made this presentation as outlined in the Agenda Report.

Chairman Olsen asked if there was any public comment but there was none.

**Commissioner Heath made a motion to approve the purchase of a Conservation Easement and 169 Transferrable Development Rights from the approved Sending Site, Assessor's Parcel Number 007-911-53. Commissioner Koenig seconded the motion, which carried by unanimous vote.**

5. **Consideration and possible action re: Approval of an Interlocal Contract between the State of Nevada, Department of Health and Human Services, Division of Child and Family Services, and Churchill County Social Services for mandated child protective investigative services.**

Social Services Director Shannon Ernst made this presentation as outlined in the Agenda Report.

Chairman Olsen asked if there was any public comment but there was none. He said, from my recollection, it started out at like \$250,000 or something like that and now we are at \$400,000. Director Ernst said this contract is based off of actual children residing in the county, not off of case numbers. It is a projection of how many youths are going to be in our county, so that does go up. We had a substantial increase 2 years ago due to the fact of how they introduced a new calling center and how they are getting these out because there were complaints that it was too timely for them to get out and do these investigations, so that went into effect 2 years ago, so we did have a huge increase. This Interlocal Contract has been in place well before my time. It has inched up and up. It is based on population on costs for staffing to conduct these. Chairman Olsen said it sticks in my mind about the things they just dumped on us to balance their budget. CPS was one of them, I thought. Director Ernst said it was not CPS, you are thinking about the new waiver programs that came into effect. We had guardianship and there was one other and that was 8 years ago. Chairman Olsen said yes, I said 6-8. Director Ernst said yes, it was a lot, but it was not CPS. It is one that we do work



with. The administrator can evaluate with NACO because it does go up significantly and it is based off of population but we are also looking at the staffing levels that they are utilizing.

Chairman Olsen asked if there was any public comment but there was none.

**Commissioner Koenig made a motion to approve the Contract not to exceed \$811,302 for FY22 and FY23. Commissioner Heath seconded the motion, which carried by unanimous vote.**

6. **Consideration and possible action re: Ratification of an Agreement between Churchill County Social Services and Clean All Around for the provision of Homemaker Services at Churchill County's William N. Pennington Life Center for the period of August 1, 2021 through July 31, 2022.**

Social Services Director Shannon Ernst said, when we took over operations at the William N. Pennington Life Center, one of the things that was evaluated was the Homemaker Program. Previously we just had onboard staff of the non-profit. Through evaluations and risk assessments, it was determined that it would be best to go out for Contract. We were able to enter into a Contract with Clean All Around which is \$25-28 per hour. Previously, the state only reimbursed \$15 an hour. We have found out they are going to start reimbursing up to \$25 an hour. This is best for us to do a Contract so that you have a higher capacity and can serve more people. We are doing all new assessments for this and also Meals on Wheels to determine where they should be placed. It is done off a sliding scale fee off of your income. We are seeing great need of this program and, with the lack of funding from the state, going forward, we will be looking at implementing a wait list but, as we can obtain more funds, Clean All Around will assist us to be able to bring those in on a more timely fashion without having to hire onboard and train them. This company is located in Fernley. We evaluated 3 different companies and this one is actually working with Lyon County and has had great success. Others were charging \$33-38 an hour. We have been able to mirror some of those programs from Lyon County.

Chairman Olsen asked if there was any public comment but there was none.

**Commissioner Heath made a motion to ratify the Agreement between Churchill County Social Services and Clean All Around as presented for Homemaker services to be offered to Churchill County residents aged 60 plus and/or disabled residents. Commissioner Koenig seconded the motion, which carried by unanimous vote.**

7. **Consideration and possible action re: Ratification of the Notice of Sub-award between Churchill County Social Services and the State of Nevada, Aging and Disability Services Division, for the provision of the Congregate Meal Program, for the period of July 1, 2021 through September 30, 2021 in the amount of \$54,588.50.**

Social Services Director Shannon Ernst said, when we took over operations at the William N. Pennington Life Center, we had to work with ADSD for all the grant applications. We did an amendment to the previous Agreement with a new grant outlining what our scopes of work would be. This one was for the Congregate Meal Program, which is dining room service for 60 and older. We get reimbursed \$3.20 per meal that comes in. They are doing an increase and will be going up to \$3.85.

Chairman Olsen asked if there was any public comment but there was none.

**Commissioner Koenig made a motion to ratify the Agreement between Churchill County Social Services and ADSD for the C-1 Congregate Meal Program in the amount of \$54,588.50 for July 1, 2021 through September 30, 2021. Commissioner Heath seconded the motion, which carried by unanimous vote.**

8. **Consideration and possible action re: Ratification of a Notice of Sub-award between Churchill County Social Services and the State of Nevada, Aging and Disability Services Division, for the provision of the Meals on Wheels Program, for the period of July 1, 2021 through September 30, 2021 in the amount of \$50,746.86.**

Social Services Director Shannon Ernst said this is just like the Agreement you just passed but this is for the Meals on Wheels Program. We are reimbursed \$3.65 per meal for 60 and older that qualifies for home delivery. We will be coming forward later for the new Agreement that starts October 1, 2021.

Chairman Olsen asked if there was any public comment but there was none.

**Commissioner Health made a motion to ratify the Agreement between Churchill County Social Services and ADSD for the C-2 Meals on Wheels Program in the amount of \$50,746.86 for the period of July 1, 2021 through September 30, 2021. Commissioner Koenig seconded the motion, which carried by unanimous vote.**

9. **Consideration and possible action re: Approval of a Notice of Sub-award between Churchill County Social Services and the State of Nevada, Aging and Disability Services Division, for the provision of the Homemaker Program for the period of July 1, 2021 through June 30, 2022 in the amount of \$81,789.12.**

Social Services Director Shannon Ernst said this is our award for our Homemaker Program. We received \$81,789.12 to support the program. There is a sliding scale fee with the participants. We will be looking at 75% and above going onto a wait list, but actually looking at getting them an outside provider. The reason for this is there are providers that are less than our contracted amount that could take them on and then we would pay less than that for our Contract. I ask that we proceed with this. This is for July 1, 2021 through June 30, 2022. We will be coming back with changes when that is implemented.

Chairman Olsen asked if there was any public comment but there was none.

**Commissioner Koenig made a motion to approve the Agreement between Churchill County Social Services and ADSD for the Homemaker Program in the amount of \$81,789.12 for the period of July 1, 2021 through June 30, 2022. Commissioner Heath seconded the motion, which carried by unanimous vote.**

10. **Consideration and possible action re: Approval of a Notice of Sub-award between Churchill County Social Services and the State of Nevada, Aging and Disability Services Division, for the provision NSIP to purchase domestically produced food for**

**Title III-C Meal Programs for the period of July 1, 2021 through September 30, 2021 in the amount of \$11,241.32.**

Social Services Director Shannon Ernst said these funds are actually supplements so that we can purchase healthy nutritious meals.

Chairman Olsen asked if there was any public comment but there was none.

**Commissioner Heath made a motion to approve the Agreement between Churchill County Social Services and ADSD for the provision of food purchases to support the Life Center qualified programming in the amount of \$11,241.32 for the period of July 1, 2021 through September 30, 2021. Commissioner Koenig seconded the motion, which carried by unanimous vote.**

11. **Consideration and possible action re: Approval of a Sub-award Agreement between Churchill County Social Services and The Board of Regents of the Nevada System of Higher Education, University of Nevada, Reno for the provision of the evaluation of the development of a Health District, the mapping process, and the strategies for implementation of the Health District prior to November 2023, in the amount of \$100,000.**

Social Services Director Shannon Ernst said we received funding to support the mapping and building of strategies to develop a Health District prior to November 2023. We reached out to UNR because they are the experts. They have done this before with the Quad counties. This would provide them with \$100,000 over a one-year period, which really starts that process. One of the requirements is doing education in the surrounding counties that are looking at being a part of that Health District and looking at what we need to do with staffing and the capacity so that we can make a sound move as we move forward.

Chairman Olsen asked if there was any public comment but there was none.

**Commissioner Koenig made a motion to approve the Sub-award Agreement with UNR as submitted. Commissioner Heath seconded the motion, which carried by unanimous vote.**

**Letters Received:**

12. Bureau of Land Management's notification of its decision for an emergency Wild Horse and Burro Gather in the Stone Cabin Management Area.
13. Nevada Division of Environmental Protection's review of the Groundwater Monitoring Report, Second Quarter 2021, for the Former Smedley's Chevron, and Golden Gate Petroleum Facility, 1755 W. Williams Ave, Fallon, Nevada.
14. Nevada Department of Taxation's letter stating that the budget augmentations done for the Fiscal Year 2020-2021 Budget pursuant to Resolution 13-2021 meet the requirements of NRS 354.598005.

**New Business:**

15. **Consideration and possible action re: Approval of a revised pay grade for the Fairgrounds Operations Deputy.**

Human Resources Director Geof Stark said we are looking for a Fairgrounds Operations Deputy, which was approved previously. We have advertised that position for a couple of months now and, based on what we have seen on the applications and what we have heard from people who work in that industry, the concern is that the rate of pay is below what people might expect to earn for what they would be doing there. We are requesting that it be changed to Pay Grade 74, which is still below the Department Head position that would supervise it and then, once that was approved, we would modify the posting and attract some good candidates. We are looking for folks who do have a degree and experience and that is creating some challenges to get the qualified people to apply.

Commissioner Heath said do you think by changing this it will bring more people to Fallon to fill this position? Director Stark said, hopefully, it would attract candidates with the qualifications we are looking for. Commissioner Heath said has anybody shown an interest? Director Stark said County Manager Barbee has talked with several people that have said they would not do it for the lower pay but might consider it at a higher pay. Chairman Olsen said didn't you look at similar communities in California to kind of come up with a level that is the same? Director Stark said the County Manager has looked at some of those and we have also advertised it here and with fair associations in various western states to get the word out there and we have not had many nibbles on it. I don't think we are ever going to match what California pays because of the cost of living there. Commissioner Heath said what are they paying in Winnemucca? Director Stark said they are paying a little higher than this, I believe. I think they start at \$95,000. I don't have those numbers in front of me. It is a Department Head position.

Chairman Olsen asked if there was any public comment but there was none.

**Commissioner Heath made a motion to approve the change in Pay Grade for the Fairgrounds Operations Deputy position to Grade 74. Commissioner Koenig seconded the motion, which carried by unanimous vote.**

16. **Consideration and possible action re: Grant of easement to Southwest Gas Corporation for gas lines that service the new Civic Center.**

Chris Spross, Public Works Director said, when we were designing the Civic Center, it became apparent that the capacity of the 2-inch line that runs south of Sheckler did not have the capacity to meet the HVAC system. It has the capacity of about 6M BTUs per hour and we need 11M BTUs, so we approached Southwest Gas about doing an upgrade and they came back with a 4-inch upgrade, which would get us to about 13M BTUs, but it leaves us very little wiggle room for expansion. For the cost of increasing the pipe size from a 4-inch pipe to 6-inch pipe, which increases our capacity to 26M BTUs, so there is lots of room for future expansion. The upgrade itself is all within the NDOT Easement, so that is being handled through encroachment permits. The reason they are looking for easements are primarily for 2 services that are already in existence. A couple of years ago, the Public Utility Commission changed the rules and said that a gas service can only service one structure. If it services more than one, it becomes a gas main and, because we are going to



be taking our service for the Civic Center Building off of the line that serves the swimming pool, that action makes that a gas main. According to Southwest Gas, any gas main has to have an easement. They are looking for 2 easements. One is over by the pool, which is going to connect the Civic Center and then while they are doing the upgrade, they said you have another one that is coming in over by the Multipurpose Building, so if we can get an easement for that then we wouldn't have to come back if you ever wanted to run another service off of that one. They told me they are not out looking for these kinds of conditions but when they get into the process of doing engineering or upgrades, that brings those to light and then they try to dot all the i's and cross all the t's and get the easements put in place. Commissioner Heath said how much area are they talking about? Director Spross said it is about 900 feet and it is the line that currently runs from the 2-inch line in Sheckler that goes approximately to the south end of the pool, and it will be 10 feet wide. They want the easement off of that because we are going to take a T off of that and run that over to the center. It does not affect the obstacle course. It is right next to the Park and Recreation Building in-between that and the pool.

Chairman Olsen said what are we precluded from doing? Director Spross said we cannot build anything on it. We can cover it in asphalt. Commissioner Heath said, so the parking lot is still okay? Director Spross said yes, it is. Chairman Olsen said if it is in the roadway, we are cool? Director Spross said yes and it is in a roadway. It is part of the parking lot expansion that was at the previous meeting. The only thing left is NDOT is dragging their feet a little on the encroachment permit. I have put in a couple of phone calls to people that I know there to try and move that along. We are getting ready to excavate for the gas line on the 21<sup>st</sup> of this month. This is just a formality of making the existing line a main line. We don't need NDOT's approval because it is our HVAC system that is requiring the demand and so had we changed that system, we would be perfectly in line using what we had now. The upgrade is just for us to be able to facilitate washing all that air out and heating all that air and cooling it.

Chairman Olsen asked if there was any public comment but there was none.

**Commissioner Koenig made a motion to approve the Grant of Easement to Southwest Gas as proposed. Commissioner Health seconded the motion, which carried by unanimous vote.**

**17. Consideration and possible action re: Apportionment of the Fiscal Year 2021 greater-than-anticipated geothermal revenue in the amount of \$519,612.43.**

Comptroller Wideman said the next 3 items are the last of the revenues that came in for Fiscal Year 2021. What happens during the budget period is the departments come and we decide what we want to spend and then the Comptroller's Office is tasked with covering it with revenues. Those revenues cannot exceed what the Department of Taxation sends out for the preliminary and the final projection of what revenues will be. During the budget process, we used those revenues and then we came back and said COVID could affect us, so we decreased the revenue by 6% from what our Tentative Budget was, and we decreased the expenditures back to 2020 levels and also decreased those even further by 7%. In our budget this year, the revenues were quite a bit lower than what actually happened. Earlier this year I came with the augmentations when our expenditures exceeded what we had budgeted, I came and said we need these augmentations. To cover those augmentations, I have to give

the Department of Taxation what revenues are going to be used for that. Part of the revenues that are over the anticipated budget on these forms are already committed per the augmentations. We already said that we are going to use some of the sales tax for the General Fund and for Parks and Recreation and we also committed some of the geothermal royalties to Social Services to the tune of \$185,000. If we look at this item here, when the budget is done, the Tentative Budget is given to the Clerk's Office and then the geothermal money comes in and she allocates the percent of the budgeted amount. All I am asking is to allocate the money past what we already gave to Social Services during the augmentation process to the various funds as their percentage was. Because the Tentative Budget was like 16.67% for Debt Service, we really only have to put 15%, so I would like to take the extra money and put that into the Stabilization Fund because we can get up to about 10% of our expenditures in our General Fund into our Stabilization Fund, so that would keep another \$13,000 in case there is an emergency down the line.

Chairman Olsen asked if there was any public comment but there was none. He said it is good news to have extra money. Comptroller Wideman said yes, but geothermal did not come in good for August though. I don't know what is going on there.

**Commissioner Health made a motion to approve the apportionment of the greater-than-anticipated FY21 geothermal revenue as recommended by the Comptroller. Commissioner Koenig seconded the motion, which carried by unanimous vote.**

**18. Consideration and possible action re: Apportionment of the Fiscal Year 2021 CTX revenue in the amount of \$1,946,246.11.**

Comptroller Wideman I touched on this a little bit on the last item. We have to put \$500,000 of this extra revenue to the General Fund and \$47,000 to Parks and Recreation per our augmentations that were approved before. Then I will take the remainder that was above our budget and allocate it as if we did not roll back the numbers to the 6% decrease from COVID and then add a little bit more for some of the expenditures that are coming out for the Civic Center out of the General Fund.

Chairman Olsen asked if there was any public comment but there was none.

**Commissioner Koenig made a motion to approve the apportionment of the CTX revenue as recommended by the Comptroller. Commissioner Health seconded the motion, which carried by unanimous vote.**

**19. Consideration and possible action re: Apportionment of the Fiscal Year 2021 transfer from CC Communications in the amount of \$300,000.**

Comptroller Wideman said, at the end of the year, CC Communications, if their revenues are fine, will transfer an additional amount of their earnings over to the county, which is typically \$300,000 at the end of the year. Looking at the needs of the county, there were some buildings that needed repairs at Parks and Recreation, so it was recommended to put that money there to help them with improvements.

Chairman Olsen asked if there was any public comment but there was none. He said do we have any idea which buildings? Comptroller Wideman said maybe the After School

Program. It is going to be their Stand-Alone Fund so they have that in the beginning fund balance, so they can use some of that for the current Fiscal Year.

**Commissioner Heath made a motion to approve the apportionment of the revenue transfer from CC Communications as recommended by the Comptroller.**

**Commissioner Koenig seconded the motion, which carried by unanimous vote.**

20. **Consideration and possible action re: Approve an advanced-step placement upon initial hire for Christine Rak as a Dispatcher.**

Human Resources Director Stark made this presentation as outlined in the Agenda Report.

Chairman Olsen asked if there was any public comment but there was none. He asked Sheriff Hickox if he just lost a dispatcher. Sheriff Hickox said yes, we had one retire with 31 years' worth of experience and is now in Washington with her grandkids, so we are very excited to bring someone with the experience and maturity and that will help the department. Chairman Olsen said we are lucky to get somebody with this amount of experience.

**Commissioner Koenig made a motion to approve the request to hire Christine Rak at an advanced-step placement upon initial hire at Step 3 of Pay Grade D44 (\$22.11/hour) effective September 20, 2021. Commissioner Heath seconded the motion, which carried by unanimous vote.**

**Consent Items:**

**All matters listed under the Consent Agenda are considered routine and may be acted upon by the Board of County Commissioners with one action and without an extensive hearing. Any member of the board or any citizen may request that an item be taken from the Consent Agenda, discussed and acted upon separately during this meeting.**

21. Consideration and possible action re: Public Works, Planning & Zoning Department's Revenue Report for August 2021 showing a total of \$45,563.57 in revenue for the month.
22. Consideration and possible action re: Building Permit Activity Report for August 2021.
23. Consideration and possible action re: Sheriff's Civil Report for August 2021 showing a total of \$4,559.76 in revenue collected for the month.
24. Consideration and possible action re: Recorder's Monthly Apportionment Report for August 2021 showing a total of \$27,055.10 collected as fees for services rendered during the month.
25. Consideration and possible action re: Report of the condition of each fund in the treasury and the statements of receipts and expenditures pursuant to NRS 251.030 and 354.290.
26. Consideration and possible action re: Building Department's Revenue Report for August totaling \$26,149.80 for August 2021.

Chairman Olsen asked if there was any public comment but there was none.

**Commissioner Heath made a motion to approve the Consent Agenda as submitted. Commissioner Koenig seconded the motion, which carried by unanimous vote.**

**Consider Future Agenda Items:**

There were no future Agenda items suggested.

**Commissioner and Staff Reports:**

Chairman Olsen reported on the following topics:

- I went to the Farm Bureau picnic at Frey's. It was very well attended.
- I had a meeting about the big bill in Congress now with Senator Cortez-Masto's staff and how it affects the farmers.
- I went to the Fire Board meeting. They are getting a lot of their personal gear replaced.
- I went to the RTC meeting but not much happened there.

Commissioner Koenig reported on the following topics:

- I went to the Fallon Youth Club meeting. They are getting ready for the big fundraiser.

Commissioner Heath reported on the following topics:

- I missed the CART meeting because I was here instead. That is the first one I have missed.
- I went to Idaho for the kids racing.

County Manager Barbee was absent.

Sheriff Hickox reported on the following topics:

- We had a large pursuit yesterday, it was exciting.
- We had our granddaughter's first birthday party.
- Dr. Carlson said he is willing to come back once a month. We are trying to meet with a couple of companies for the jail doctor.

Comptroller Wideman reported on the following topics:

- Looking at closing the year out and the auditors will be here soon.

Deputy Clerk Moore reported on the following topics:

- Linda and Erin are in the CFOA meeting in Virginia City this week.
- I am in a quandary about what to do with our Agenda Management Program. I have proposed that if CivicClerk would just keep the money we paid Municode just to stay with them because why go through any more work to develop something that I was not happy with the look of our Agenda with all the different fonts in it, so I don't know what to do so if you guys have nay input, share it with me before I talk with them. Chairman Olsen said I will share with my personal hatred of it. Pam Moore said with CivicClerk or Municode? Chairman Olsen said both.



Pam Moore said Municode isn't working like they said it was going to. Chairman Olsen said it is miserable to work with. I don't hate much but I don't like that stuff.

**Claims and Payroll Submittals:**

The claims and payroll transmittals were submitted to the board for signature.

**Public Comment:**

Chairman Olsen asked if there was any public comment but there was none.

**Quarterly Jail Inspection:**

- 27. Quarterly Jail Inspection of the Churchill County Law Enforcement Facility pursuant to NRS 211.020 to inquire into the security of the jail and treatment and condition of the prisoners.

The 3rd Quarter 2021 jail inspection was conducted following the meeting and a separate report was made and recorded.

The Quarterly Jail Inspection was postponed until a future meeting date.

**Adjournment:**

The meeting was adjourned at 2:34 PM.

Approved: \_\_\_\_\_  
H. Peter Olsen, Jr., Chairman

Approved: \_\_\_\_\_  
Greg Koenig, Vice-Chairman

Approved: \_\_\_\_\_  
Justin Heath, Commissioner

ATTEST:  
Linda Rothery, Clerk/Treasurer

\_\_\_\_\_  
Renaeh Paholke, Deputy Clerk