

MINUTES OF THE BOARD OF CHURCHILL COUNTY COMMISSIONERS

155 No. Taylor Street, Fallon, NV
Fallon, Nevada
August 7, 2014

CALL TO ORDER

The regular meeting of the Churchill County Board of Commissioners was called to order at 8:15 a.m. on the above date by Chairman Erquiaga.

PRESENT: Carl Erquiaga, Chairman
Pete Olsen, Vice-Chairman
Harry Scharmann, Commissioner
Benjamin D. Shawcroft, Civil Deputy District Attorney
Alan Kalt, Comptroller
Pamela D. Moore, Deputy Clerk of the Board
ABSENT: Kelly G. Helton, Clerk of the Board
Eleanor Lockwood, County Manager

PLEDGE OF ALLEGIANCE:

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

VERIFICATION OF POSTING OF AGENDA:

It was verified by Deputy Clerk Moore that the Agenda for this meeting was posted in accordance with NRS 241.

ACTION ITEMS:

AGENDA:

Commissioner Olsen made a motion to approve the Agenda as submitted. Commissioner Scharmann seconded the motion, which carried by unanimous vote.

MINUTES:

Commissioner Scharmann made a motion to approve the Minutes of the special meeting held on October 3, 2013; special meetings of February 3 and 4, 2014; and regular meeting held on July 16, 2014 as submitted. Commissioner Olsen seconded the motion, which carried by unanimous vote. Commissioner Scharmann made a motion to approve the Minutes of the regular meeting held on July 3, 2014 as submitted. Commissioner Olsen seconded the motion, which carried by majority vote, with Commissioner Erquiaga abstaining due to his absence from that meeting.

PUBLIC COMMENTS :

Chairman Erquiaga inquired if there were any public comments on issues that were not listed on the Agenda. Dr. Robin Titus introduced herself and said she hopes to be the next Assemblywoman from District 38. She is here today to introduce herself and to listen to your needs and concerns, as well as to familiarize herself with your issues. Chairman Erquiaga welcomed her and asked for further public comment but there was none.

APPOINTMENTS:

THE BOARD MAY REQUIRE THE PROVISION OF AN OATH OR AFFIRMATION BY ANY PERSON PROVIDING ORAL TESTIMONY AT A PUBLIC HEARING.

8:15 a.m. Consideration and possible action re: Adoption of Proclamations expressing appreciation for the cleanup efforts and community service work performed by Amor IX, LLC, a division of Alterra Power Corporation, and Enel Green Power North America, Inc., Michael Johnson, Planning Director.

Planning Director Johnson reported that Enel Green Power North America, Inc. operates a geothermal power plant on Lawrence Lane in the Stillwater area near Salt Wells. Enel contacted the county to ask if there were any community service projects or cleanup efforts they could participate in. Working with the Planning Department, they identified an area known as the Old River Reservoir, off of the Lovelock Highway, where the illegal dumping of garbage, animal carcasses, household trash, and construction debris has accumulated over the years. On June 5, 2014, nineteen employees from Enel Green Power North America, Inc. worked diligently to clean up the property and remove two dumpsters with approximately sixty cubic yards of material. Enel paid all of the expenses associated with this effort, including the rental of two dumpsters, the landfill dump fees, equipment rentals, and provided lunch for their employees and volunteers. The property is now clear of garbage and unsightly debris. The county greatly appreciates the efforts of Enel North America Inc. and their employees to help improve our community.

Amor IX, LLC, a division of Alterra Power Corporation, operates a geothermal power plant on Soda Lake Road. Amor IX contacted the county in regard to their concerns about an adjoining property that appeared to be abandoned. Trash and debris were accumulating on this property and being swept across the desert by strong winds. Amor IX and their employees volunteered to participate in a cleanup effort for this property. On July 15, 2014, thirteen employees from Amor IX worked diligently to clean up the property and remove four dumpsters with approximately 100 cubic yards of material. The county greatly appreciates the efforts of Amor IX, LLC, a division of Alterra Power Corporation, and their employees to help improve our community.

Proclamations were presented to the companies in appreciation of their efforts.

8:20 a.m. Public Hearing — Consideration and possible action re: Bill 2014-D, Ordinance 113, an ordinance prohibiting medical marijuana establishments in Churchill County, Benjamin D. Shawcroft, Deputy District Attorney.

TITLE: AN ORDINANCE AMENDING CHURCHILL COUNTY CODE TO PROHIBIT MEDICAL MARIJUANA ESTABLISHMENTS IN CHURCHILL COUNTY AND OTHER MATTERS PROPERLY RELATED THERETO.

SUMMARY: IN 2013 THE NEVADA LEGISLATURE AMENDED CHAPTER 453A OF THE NRS SETTING FORTH THE FRAMEWORK FOR THE INTRODUCTION OF MEDICAL MARIJUANA ESTABLISHMENTS IN NEVADA IN ORDER TO PROVIDE A SUPPLY OF MEDICAL MARIJUANA TO PRESCRIBED USERS IN THE STATE. NRS 453A AUTHORIZES LOCAL GOVERNMENTS TO ENACT ZONING RESTRICTIONS RELATED TO MEDICAL MARIJUANA ESTABLISHMENTS. THIS ORDINANCE AMENDS THE ZONING PROVISIONS OF THE CHURCHILL COUNTY CODE PROHIBITING MEDICAL MARIJUANA ESTABLISHMENTS.

Deputy District Attorney Shawcroft reported that, on July 16, 2014, the board first reviewed Bill 2014-D, which lists medical marijuana establishments as a prohibited land use.

This ordinance was published as required by law. No further amendments or alterations were made since the first reading.

On April 23, 2014, the board directed staff to prepare an ordinance prohibiting medical marijuana establishments in Churchill County. The proposed ordinance amends Title 16, Consolidated Development Code, by listing medical marijuana establishments as a prohibited land use in all Land Use Districts in the county. This ordinance will effectively prohibit any type of medical marijuana establishment, which includes dispensaries, cultivation facilities, testing laboratories, and facilities that produce marijuana infused products such as edible products and oils.

This ordinance was reviewed by the District Attorney's Office for legal compliance with applicable state and federal law. The conclusion reached is that this ordinance is a legal use of the board's power to regulate land use. The state statutes allow local jurisdictions to regulate and even prohibit medical marijuana establishments. Moreover, the current federal prohibition of these types of establishments discourages any recommendation to approve of this type of activity. A more thorough legal analysis of these issues was presented at the April 23rd meeting.

Chairman Erquiaga asked if there was any public comment but there was none. Commissioner Olsen said, in reading the ordinance as it sits by the fact that there are no areas listed in the ordinance, does that mean that there is nothing allowed? Deputy DA Shawcroft said that is correct. They took every single zone within Churchill County and listed medical marijuana establishments as a prohibited use for that zone. There are no areas left in Churchill County where you would be able to put one of these establishments.

Commission Olsen made a motion to approve Bill 2014-D, Ordinance 113, an ordinance amending Churchill County Code to prohibit medical marijuana establishments in Churchill County and other matters properly related thereto, with an effective date of September 1, 2014. Commissioner Scharmann seconded the motion, which carried by unanimous vote.

8:30 a.m. Consideration and possible action re: Proposal to develop a disc (frisbee) golf course on Churchill County-owned property around the Onda Verde I subdivision, Tom Fleming.

Tom Fleming reported that the Fallon Disc Golf Association is attempting to establish a disc golf course within Churchill County for use by association members, the public, and potential disc golf tournaments sanctioned by the National Disc Golf Association. Tom Fleming approached County Manager Lockwood to discuss use of county-owned properties for this purpose; properties explored include the property off of Rice Road, east of the Fallon Golf Course, properties around the Onda Verde subdivision, property at Harmon Junction, and property off Miners Road. The proposal provides an explanation of the sport, the potential layout of the course, and the association's plan to garner support and donations. The proposal has been discussed with Ken Hendrix (Jenuane Communities/KDH builders), who owns the lots on Onda Verde I. Tom Fleming is seeking input and direction from the board.

The fiscal impact will be \$0-\$5,000 for county support, as directed by the board.

Mr. Fleming had a map of the area to demonstrate possible layout of the disc golf course. They have had meetings with County Manager Lockwood and Facilities, Parks and Recreation Director Guerrero about the proposal. The disc golf course would be 9 holes in one area and another 9 holes at the back of the property (as demonstrated on the overhead map). They have a proposed area for parking but are still discussing the best place for that, considering ingress and egress in the area for safety concerns. There is a designated area for practice. Disc golf is very

similar to regular golf. Mr. Fleming had some discs for the board to see the various discs used in the game. In our area, there are several disc golf courses, including some new ones being developed. The sport is becoming popular throughout the United States. The closest one is located in Dayton at the park on the Carson River, about 5 miles this side of Dayton. It is a beautiful disc golf course. There is a new course just completed in Carson City and others being developed in Carson City and Reno. There are several along Lake Tahoe.

Mr. Fleming said this site is ideal for disc golf and the reason for that is because disc golf is just played on the terrain that is there. You do not have lawns to maintain and you basically just keep the weeds clear, keep the saplings from growing up, and the work around the natural obstacles that are on the site. This location has water on it, has mature and young trees, and has some dunes, etc. Right now, there are 3 homes built in the subdivision, with another in a different location. They chatted with the owner of the property a couple of days ago and he is very supportive of this disc golf course. For him, it is a win-win, as it keeps weeds clear of the area. Disc golf is a very quiet game and there might be four or five different groups on the course at any given time. It is very nice exercise and you can hear the sound of the chains rattling from time to time and occasionally a "whoop" if somebody puts one in from a long distance away. People just walk the course and play. It is a very nice game. He played ultimate with his kids since they were really little and has been playing disc golf now for probably the last four or five years. He loves the game and has found there are a lot of people who are really enjoying the game, including here in Churchill County. They see a lot of people from Fallon on the Dayton course, in particular. He is very confident that the course would be used. He asked if there were any questions.

Chairman Erquiaga asked if there was any public comment. Mr. Fleming said Jim Shirtliff is here and wondered if he would mention a bit about the implications for the local Scout Troops. Mr. Fleming said the head of the Pony Express is Glen Perazzo, who has walked the course and is very supportive. Mr. Shirtliff said he is here representing the Boy Scouts, particularly Troop 1776 here in Fallon. They are sponsored by Epworth United Methodist Church as their charter organization. The boys in Boys Scouts, in order to achieve the rank of Eagle Scout, are required to complete an Eagle Service Project. There is no time limit required for how many hours they have to spend on a given project but they typically run around 200 hours or more. His oldest son, when he did his project at the old Harmon School, ran about 830 hours on his project. They are looking to spread this amongst several boys' Eagle Service Projects, at least two or three. The first would be to help get the funding to pay for the baskets and t-pads and then putting in the first holes. A follow-on project would be to put in a secondary place for the baskets. They do re-locate the baskets, just like a golf course. They will re-locate a hole so that it is not always at the same point. For the first year or so, there would only be one spot for each basket but then they move the basket, which is just a sleeve in the ground where you insert the pipe and lock it into place. The course changes so that it is not always the same. The secondary pads for women or youth allow for closer shots, so it can be expanded upon for additional projects as the popularity in town grows. He knows they have right now, in their troop, his own son who would do the first project. His son, Timothy, is here today in the back of the room. He would be the first Eagle Scout to take a project on to get this rolling. After that, they currently have five other boys who are looking for projects, with another five who will be looking for projects in the next few months. That is just within their own troop. Mr. Perazzo's troop and even Karl Marsh have their own troops and they have all talked about this. They see this as a good opportunity for at least three or four Boy Scout projects into the future to initially

put in the course and to expand on the course for further development after it is initially established. He must say that, when he was in college, they played frisbee golf. They didn't have baskets back then but they played it on campus. This game has developed since then into these baskets and official courses with rules. He had never played on a course so, when they first heard about this idea from Mr. Fleming, he and Timothy went to the Dayton course to play. It was very enjoyable and he thinks that the county would derive a benefit from it. It will help to grow the community and provide something else for families and youth to do. Another future project would be to put in some benches and tables at some of the holes so people can sit down and rest in between the holes, so there could be lots of Eagle Service Projects to come from this. Chairman Erquiaga asked if there was any further public comment. Mr. Fleming said their original proposal, which the board has not seen because it has been amended since chatting with County Manager Lockwood, was to propose concrete disc pads but they decided to propose instead temporary t-pads. A t-pad is essentially a t-box. You want a nice flat area to get that first shot. They amended it for the temporary t-pads. In Dayton, they have the temporary t-pads, which are quite common. The temporary t-pads consist of railroad ties, DG with a rubber mat on top. They are about five feet by ten feet, with the rubber mat about four feet wide in the middle. The whole thing can be taken down in one day. If the golf course expands someday, they can easily take apart the disc golf course and set it up at another site. Essentially, the baskets represent the single biggest cost for initial costs. If they needed to change and put the course somewhere else, then they would have all of those materials to move them somewhere else. This is a great site. Jorge Guerrero suggested that he take a look at the site on Miners Road, which is big enough but the difference between that site and this one is the natural obstacles or terrain or features that this space has. The site off of Miners Road, which he could see from an administrative point of view for Churchill County, has some nice features around the edge, with some trees and such, but the center is fairly featureless. This site would provide for a course that you could have tournaments on and which would attract people for professional disc golf tournaments to bring people to town for things like that. This is the type of course that people would come for. It is a beautiful site. It is very pleasant to walk around.

Mr. Shirliff added that the funding for the baskets and t-pads would be accomplished through donations from businesses from sponsoring a hole. Each business would have a sign at that t-pad indicating that the business sponsored the hole. There would not be any expense to the county for those materials.

Jorge Guerrero, Facilities, Parks and Recreation Director, said he recently had some conversations with Mr. Fleming and he is correct in stating that disc golf is currently trending in the industry, so much so that he and Danny Gleich started talking about putting some holes at Liberty Pond or trying to figure something out at Miners Road. Of course, this proposal came up. Mr. Fleming indicates that there are some good spots on the outside of Miners Road but, for the most part, on the inside, it really does not give you what you want in a disc golf course. As far as this property is concerned, as far as the maintenance that the department is doing there currently, they go out there maybe once or twice a season with a piece of equipment to knock down the weeds as best they can. They are looking at acquiring another piece of equipment that might take care of some of these larger saplings that grow up around the ponds and such. That is about all that the department can do. He has spoken to Mr. Fleming about the department's limitations, not only with regard to budget but also with regard to staffing. They talked about a little bit about having the association and the association being able to come out and do some of the stuff and conducting some field days for repairs and upkeep. Of course, they are also

discussing the Scouts. Those are really good intentions but what tends to happen is that people move on and those groups get smaller and then it tends to fall on the department. There is still opportunity for some success there. He knows Mr. Fleming has been in this community for a long time and he knows he is really passionate about it. He thinks Mr. Fleming would keep that volunteer base going, as well. The only thing he wants to caution the board about is that he does not have the manpower to go out there every day and pick up the trash or to deal with the weeds every time. They will do it at the beginning of the season and maybe midway through the season. They do not even have the equipment. Most of the time when his department does go out there, they borrow equipment from TCID and they have been really good about loaning it to us. Other than that, he does not have much more to say, other than the location is great and it would be nice to have a presence there. The impact would be minimal to the current residents. As Mr. Fleming said, they may occasionally hear some baskets every once in awhile. Another item might be parking. They talked about setting up a parking lot. This year has been the worst for weeds that he has ever seen, so he would expect they would receive calls to come out for that. His only concern is not having the manpower or the budget to go out there and handle the stuff. He doesn't think the budget impact would be as great as the manpower would be. By the time they send somebody out from the Fairgrounds a couple of times per week, just in fuel costs alone, it would hit their budget and they have seen that with some of the outlying parks that we have assumed responsibility for. Chairman Erquiaga asked if there was any further public comment but there was none.

Commissioner Scharmann said he knew of Mr. Fleming's musical and directing talents but he did not know he could throw a frisbee. Mr. Fleming said they have been doing that for their kids' entire lives. They would go down to Minnie Blair and play 500. When he used to direct band, they would take a break half way through and play a bit at the high school with the kids. It has been a big part of their lives since he and his wife were in college. Commissioner Scharmann asked Mr. Fleming to tell him about the Fallon Disc Golf Association because, although he appreciates the Scouts and has worked the Scouting and knows about Eagle Projects and all of that, but we need to make sure that we have some sustaining influence here over the years. That would be the association. Mr. Fleming said they have a group of about 7-10 people who play regularly and are willing to assist with the course. They anticipate that the numbers will grow as people become involved in the sport. What happens now, in Dayton for example, when they built the course, it started slowly and then they built up a base of people who play regularly. He anticipates that the same thing will happen here in Fallon. They do regular maintenance on the course where, on a Saturday, the group will come in to help to dispose of the garbage, weeding, and other maintenance. Everybody gathers to do that. There are a lot of disc golf associations throughout the country, which you can read about online. He would love for this to happen where they have an online presence and they have tournaments with their league, which he anticipates we will have, for a Saturday morning league or youth events for kids that occur on a regular basis. As it grows, the base of people who play regularly and who are part of the association will grow. He has seen that happen everywhere else and he has no doubt that the same thing will happen here in Fallon.

Commissioner Scharmann said to Mr. Guerrero that, in the proposal, there is an area where it talks about assistance from Churchill County and he wanted to know if Mr. Guerrero had read that. Mr. Guerrero said he had. Commissioner Scharmann said it talks about grading a parking lot, which we have talked about already. Whatever side of the road the parking lot is on, he doesn't care, but he asked if Mr. Guerrero thought that was possible. Mr. Guerrero said it is

but there is the cost for the gravel and then it would just involve everyday maintenance. Commissioner Scharmann asked if we are talking about a second entrance. Mr. Guerrero said he would hope we would use the same entrance because he doesn't see how we could afford the costs of a second entrance. Some work will be required because that ground has not been prepared for a parking lot, so we would need to develop a sub-grade and, if we end up getting some moisture, even as much as we got the other day, it could become a muddy pit. There will have to be some thought put into that and, when you start thinking about it, it starts to cost more. Commissioner Scharmann said the reason he is asking these questions is because, as Mr. Guerrero said, the county has very limited resources in our Buildings and Grounds Department and there are very few people working there. The operating budget is very slim, so to bring on another project for them, it would be very difficult. The county would rely very heavily on the association to do this. It also talks about a couple of signs and that probably isn't a big problem, as we could work with our Road Department on that. The proposal says, "ongoing assistance with garbage, recycling removal" and then talks about mowing and spraying weeds. Right now, our department does not do much out there except maybe once a year for weed removal. Mr. Guerrero said that is correct. After just recently acquiring the property, that is what has been done in hopes of keeping the eye sore down and they do it in such a fashion where there is still some vegetation so that we have some dust control, as well. That is all that is done at this point. Commissioner Scharmann said he does not want this to become a burden on anyone. When you want something to sustain over a period of years, other people will be coming into the association and maybe the association will go away after five years, so the county wants to be very careful that we do not jump into something that we cannot sustain. However, at least we are not planting grass and greens and such. He does think this is a really good thing if we can work together to make it happen.

Commissioner Scharmann said Mr. Fleming touched on his next subject a little bit where there are no problems with the managers who are leasing the golf course. He would hope that, if they ever do want to come back and do the other 9 holes for the golf course in 10 years or something, that we will not have a problem getting back on these fairways and such, as Mr. Fleming indicated.

Commissioner Olsen said he is generally supportive of the idea, as it sounds good and the association is willing to do most of the work. They have heard some of the board's concerns and he believes they understand where the county is at on this. The board wants to be supportive of this program but one of his concerns is that we can see the obvious as far as interaction with the golf course across the river and what the original intention of the property was and any other uses that might be out there for the property. He knows one idea that had percolated in his head was, if we are going to have a river park, the property we bought off of Sheckler Cut Off provides for a place for people to get in the river but we have no place for people to get out. This provides river access for people to get out of the river. Are we impacting any of that use or should we take into account that we make some room for that and allow for the fact that there may be multiple use there on the property until such time as it is ultimately used again for a golf course? Mr. Guerrero said, with regard to the river park, initially it was going to be on the west bank when there was going to be a development there, as they were going to provide some property in the far corner (demonstrated on the map). Part of that development's open space plan was to provide the property to built a park for people to get out of the river. Of course, that development has died. Since we have acquired this property, something could be done in this area (demonstrated on overhead) but then you have to determine how to get the people out of

there and then to the road, so there might have to be something done in that area. There is potential for that. That property was earmarked for development of the 18 hole golf course, so we have to take that into consideration. This is another opportunity to see this as another item that is going on the property that was not the original intent. Listening to them and the way that they talk about setting this disc golf course, it will be something that can be removed if the folks from the golf course decide they want to move forward with expansion.

Mr. Guerrero said one of the questions he had, which might be for our Deputy District Attorney, is about the county's legal liability because now we have people walking all over the property. He arrived a little bit late, so he doesn't know if the insurance has been discussed and how that will be handled. Is that going to fall on the Parks and Recreation Department? Mr. Fleming said the Fallon Disc Golf Association is prepared to pay secondary insurance. Mark Hammond has been a great help to them throughout this. Since disc golf courses are, at the moment, not very common, he had to look far and wide to find somebody to provide the insurance. He found Burns and Wilcox to sell the liability insurance. Initially, the costs would be \$1,142.90. The association would certainly take that on for the secondary insurance. He provided a Certificate of Insurance, which shows the liability limits. He has been told by Mark Hammond that this is the standard insurance for secondary insurance. The association will have some income and will sponsor some tournaments throughout the year. They can do a combination of Professional Disc Golf Association (PDGA) events if this course measures up for a PDGA course, which he believes it could. The PDGA would then take care of everything and rents the course from the county and then puts the tournament on, which is a source of income. They can then have regional tournaments sponsored by the association. He knows all of the disc golf people who are helping the courses in Dayton, Reno, and Carson City to sponsor the regional tournaments. That would be another source of income.

Mr. Guerrero said Mr. Fleming talked about a lease and he was wondering how the association felt the term of that lease should be. He had also discussed fundraising efforts, so he wondered how that will be handled because, if things come to the Parks and Recreation Department, then the county becomes the owner of it, including dollars. They had discussed the challenges of the association being able to use the funds the way that they want to and how those are earmarked. Sometimes, people can get confused if they donate money and then things aren't happening and then they want their money back. He asked Mr. Fleming to address those items. Mr. Fleming said the Fallon Disc Golf Association is in the process of becoming a 501(C)(3) nonprofit, which is a lengthy process. In the meantime, they talked to Andrea Zeller of the Churchill Coalition, who has a meeting coming up, about people donating, primarily through the Boy Scouts, to buy a hole or parts of a hole etc. He and his wife are going to purchase a hole at the cost of \$500, which will cover the basket, t-pad and sign. A lot of the materials could be donated or sold at a low cost. When people donate, they anticipate that the Churchill Coalition will set up an account to run the funds through until the association is able to finalize their 501(C)(3) status. If not, then perhaps it could be run through the Boy Scouts, although he does not know if that is a possibility. At any rate, there will be a place for people to donate. There are various costs outlined in the proposal for the t-pads, materials, etc. People or businesses can purchase an entire hole or various parts thereof. They anticipate being able to raise all of the money they need to build the course.

Mr. Guerrero asked what the timeline is for the course. Mr. Shirliff said his son, Tim, is expecting to do his Eagle Project right away, so as soon as they get approval, they would be out trying to raise the funding to purchase the materials and start working as early as this fall. Mr.

Fleming said that Joseph Sorenson has requested to be the second Eagle Scout to work on the project, which must be done by March. Commissioner Scharmann asked if the Eagle Project is to put in a hole. Mr. Shirtliff said an Eagle Project is usually around 200 hours worth of work, so Timothy is planning to get in at least the first 9 holes. Mr. Fleming said they recruit help with their project and they will have adults who help. He intends to be out there with family and other disc golf players in Fallon who will help. It is very exciting to people who play disc golf because, any time a new course is built, everybody shows up. It is quite exciting. With the initial building, there is not a lot to it. You put a sleeve in the ground and the basket has a metal galvanized pole. They will get very good baskets that will last for a long time and you just slide it down in there. You have to put these ground sleeves in and it is done. That is all there is to it. The most work is the t-pads. You have to get the material to set up the box and make it level and then fill it with DG or even the dirt around it. You then cover it with a rubber mat and it is done. It is quite simple.

Deputy District Attorney Shawcroft said they have not really talked about the lease terms yet. His initial thought was to start with a year lease and then have potential automatic renewals after that first year. Of course, the county would invite the association back to give updates of what is happening out there. Mr. Fleming said he is completely happy with that and he totally understands that the county wants to see how it works. He has been doing this for a lot of years and his experience with it, particularly with the Dayton course, which he started playing when they first started to build it and he has been able to watch what happened with that. He has no doubt it will be successful, as we have a larger population involved in the sport and this course is more accessible than the Dayton course. Disc golf is a big part of the P.E. program in Churchill County now at the high school and perhaps even at the middle school. At the high school, it has become a big part of their physical education. He has no doubt whatsoever that this will be something that is really good for Fallon. That is his opinion but he totally understands the county's concerns. He is comfortable with a year lease, with renewals, because he knows it will work.

Commissioner Olsen asked if there are any fees associated with this for normal play. Mr. Fleming said there are not and you would have to hire someone to collect the fees. They will have a donation box and they will have a suggested fee but there is no way to enforce that unless you hire somebody. Commissioner Olsen asked if they have considered vandalism and control access to it at certain times. Mr. Fleming said it would be similar to any other park. He knows what has occurred at the skate park and they have closed the restrooms and put up portable restrooms. The one thing about this is that it is very accessible but you do have to drive to get there or you kind of go out of your way a little bit. It is not really close to the center of town. They do not anticipate any problems. There is not much to vandalize. These baskets are very strong. He does not anticipate any vandalism issues that could not be easily fixed. Commissioner Olsen said he is of a mind to proceed and have staff flesh out some of these issues that have been discussed here today. He wants to keep in the back of our minds the access for getting out of the river because he knows that, if we ever want to use the Sheckler Cut Off property for what we intended when we purchased it, we need a safe place for people to get out, rather than around the bridge on the highway that is not safe with traffic. Mr. Fleming demonstrated on the overhead map an area that is really beautiful and which is one of the most open areas on the river. It is really common with disc golf courses to have picnic tables. One of the Tahoe courses is, by far, the busiest course and they have a gazebo and full park set up. They looked at that area, which is probably the longest uninhabited section of river, county-owned for

the most part, although access is a little weird because of a ditch up there. That was something they mentioned in the first proposal for multiuse. He wanted to keep this proposal simple by just keeping it at disc golf. However, since it was brought up by Commissioner Olsen, he wanted to mention that he thinks there are some things that are really ideal about that area and, if access could be achieved, and another area, which is also county-owned. Those areas are really quite lovely for multiuse river-on-the-park aspects.

Commissioner Olsen said he believes we ought to move forward but he believes it will have to come back before the board once the details are worked out. He doesn't know if we need a motion if the board agrees to direct staff to proceed to work out the details.

Chairman Erquiaga said he has some questions, although most of those were addressed here today. He wanted to add to the river access, which he thinks is a great idea. It would seem to him that, other than providing vehicle access, a simple reconfiguration of the hole there could allow overlapping uses. One of his concerns relates to the golf course. He said we removed that property from the golf course lease, did we not? Comptroller Kalt said that is correct. Those parcels are removed from the Duncan Golf Management Lease, so they are not part of the golf course. Chairman Erquiaga said that would not cause an entanglement there, at present. He just wants to raise some concerns about access. Technically, he said we would only have two points of access to each of the courses there, one where the parking area is and one of those foot paths. He doesn't think we would want people to cross those lots, regardless of whether someone lives there or not. He wonders how well defined those boundary lines are on the back side of those lots. He knows there are pins on the corners. Mr. Fleming said there has been a lot of work done in there. He demonstrated a line along there, all the way around, which is very easy to see where these lines are because it is raised. You actually have to walk up a little ridge and then you are on a flat section around the cul-de-sacs all the way around. They have configured these basket placements so that, although it may not be easily determined from the overhead, there is a lot of distance between the t-pad and where the basket will be. The ground comes down into there. He is not going to say that there will never be a disc thrown up onto the properties because he has done that himself. He has put his disc into somebody's back yard when he had a bad throw in the wind, so he will not say it will never happen. Generally speaking, far and away, people will stay right down in here (demonstrated), given that you go from the basket to the t-pad, basket to t-pad, basket to t-pad, etc. They very deliberately put all of these things so that they stay away from the property lines, as best they can. He demonstrated an area where there are trees all the way around. It is quite a veil of trees, with mature trees and water. It is almost like a veil where people on the other side might hear the chains but that is about it. It really is an ideal spot. Chairman Erquiaga said he drove around it the other day and he confesses that, when he got to that area, he was a little bit lost where the disc golf course is going to be, as it is that secluded. Mr. Fleming said there are deer in there. They saw 3 beautiful bucks in that spot in the corner.

Deputy DA Shawcroft asked if there is any plan to provide a map of the course so people know where the holes are and where not to go. Mr. Fleming said that is the case. They will take this map and blow it up as big as possible. When people come in, they can take a picture of it on their cell phone so they have a pretty good idea where they are going when you get on the course. That is a really important part. The sign at each hole shows a map for that particular hole. If you go online, you can see that baskets will say sponsored by, which is how people will be acknowledged for donating to the building of the course.

Chairman Erquiaga asked what the times of use will be. Mr. Fleming said it would be 24 hours per day, unless you put a fence around it and police it. Chairman Erquiaga said his

concern, for lack of a better term, is he wouldn't want to create an attractive nuisance. He thinks we already have one and maybe this will actually reduce that because there will some foot traffic on there. Mr. Fleming said he knows there are some inhabitants right now, which the county may already be aware of. Chairman Erquiaga asked if they will have garbage cans and pick up. Mr. Fleming said he chatted with Ms. Lockwood since that was put in the proposal. The Dayton course has someone go in once a month, which is plenty. The entrance is done every couple of weeks. Their association does that and this association will do that. They will set up one for recycling and one for garbage.

Chairman Erquiaga said his other concern is about ADA access. Mr. Guerrero said that is always a factor. With this course, he doesn't believe any accommodation would be made or ability for that, unless you allowed them to have a motorized vehicle to navigate that, like some sort of a side-by-side or something like that. Chairman Erquiaga said he understands that but he wanted to know if we are exposing ourselves to something there. Deputy DA Shawcroft said he will look at that aspect.

Chairman Erquiaga said he has no other concerns or questions and would agree with Commissioner Olsen in that he is willing to proceed and see what staff fleshes out. Deputy DA Shawcroft said we do not need a motion, as staff can start working on a lease if that is the desire of the board.

Mr. Fleming said their question is whether they need to wait for the lease for the Scouts to proceed. Deputy DA Shawcroft said it is preferred that the lease is in place before they proceed, so it is clear as to who is liable for what and that kind of thing. He believes we could get it done fairly quickly and have it ready, maybe not for the next board meeting but the following board meeting.

Commissioner Olsen congratulated the Scouts on being here. It is great we have young men in the community who donate their time and, of course, the adults who supervise that. It is a fantastic program. There are people who do other things, such as horseback riding, car racing, and all kinds of things that happen where there is community support from the tax base but not very much. It is generally people like you folks that want to do it and you get out there and get it done. That is what makes Fallon a good community, so he thanks them.

8:40 a.m. Consideration and possible action re: Appointments to the Parks and Recreation Commission, Jorge Guerrero, Facilities, Parks and Recreation Director.

Facilities, Parks and Recreation Director Guerrero reported that the Parks and Recreation Commission has three terms that are ending. To ensure that the public had opportunity to be considered, advertisements were placed in the local newspaper, asking interested citizens to apply. Applications were due by June 30, 2014. The three incumbents (Kris Hadley, Bill Andrews, and Gene Young) asked to be reappointed. No other applications were received.

These three individuals have served admirably over the years and their continued service is greatly appreciated. With this in mind, staff recommends the three of them be reappointed to fulfill new three-year terms.

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

Commissioner Scharmann made a motion that the county reappoint Kris Hadley and Bill Andrews to the Parks and Recreation Commission to fill terms that expire on June 30, 2018 and reappoint Gene Young to the Parks and Recreation Commission to fill a term that expires on July 30, 2018.

Commissioner Olsen seconded the motion, which carried by unanimous vote.

8:45 a.m. Consideration and possible action re: Approval of financing option to purchase a dozer for the Churchill County Road Department, Alan Kalt, Comptroller.

Comptroller Kalt reported that the Board of County Commissioners approved the purchase of a dozer for the Road Department to operate the gravel plant at their May 1st Highway Commission meeting. At that meeting, the board directed the Comptroller to develop a financing plan and move forward with the necessary steps to obtain the financing associated with the purchase of the dozer. The financing plan assumes a purchase price not to exceed \$550,000. The county will use \$100,000 from the Road Equipment Replacement Capital Projects Fund, \$100,000 from the Extraordinary Repairs and Maintenance Fund, and finance the remaining \$350,000 over a period not to exceed ten years, with a medium term financing (MTF) obligation.

The statutes require the governing body to approve a resolution authorizing the medium-term obligation. On July 16, the Commissioners approved Revised Resolution 14-2014, which seeks authorization for a medium-term obligation in an amount of \$350,000 to be repaid over a period of time not to exceed ten years, with funding received from the Payment in Lieu of Taxes (PILT) from the federal government. The Comptroller sent a letter requesting approval of the medium term financing to the Executive Director of the Department of Taxation as required by Nevada Administrative Code.

The Comptroller's Office prepared and sent Request for Proposals on this MTF to various financial institutions. The county received proposals from First Independent Bank and Wells Fargo Bank (see documentation attached to Agenda Report for bid abstract and actual bid submittals). As noted in the materials, the lowest interest rate was offered by Wells Fargo Bank at a fixed rate of 1.99% for a 3 year lease purchase for the \$350,000 loan. This corresponds to a rate of 2.25% from First Independent Bank. The interest cost of the Wells Fargo 3 year note would be \$10,239.76, plus loan fees of \$500, for an estimated financing cost of \$10,740. The other option would be to internally fund this loan through an inter-fund loan from a fund that has adequate reserves that would not likely be used in the next three years and paid at the 1.99% interest rate to that fund instead of using a commercial bank. The repayment source (PILT) would remain the same. The county would have to annually renew the inter-fund loan as they may only be for one year under the statutory provisions. The estimated ending fund balance of the Building Reserve Fund for June 30, 2014 is \$2,193,282. The Building Reserve Fund is accumulated funds for the construction of an adult jail facility. It does not appear that this facility would be built within the next three years. Currently, our investment returns for funds held at the Local Government Investment Pool (LGIP) is 0.09% and interest paid for investments held at First Independent Bank are paying 0.45%. Thus, the payment of 1.99% interest to the Building Reserve Fund would be significantly greater than the rate it is currently receiving. Under this alternative option, the county would pay the market rate (1.99%) and use the federal PILT revenues as a repayment stream as proposed. It would not materially impact the Building Reserve Fund or the ability to move forward with proposed projects. It is anticipated that it will take less than three years for the repayment of the \$250,000 to the Building Reserve Fund.

The fiscal impact for the proposed loan would for \$250,000, as the county had previously apportioned \$100,000 of the FY 14 PILT payment into the county Debt Service Fund to have a reserve for FY 15 loan payments. Thus, the county has \$300,000 of resources available for the purchase of the equipment (\$100K Equipment Replacement Fund, \$100K Extraordinary Repairs & Maintenance Fund, and \$100K County Debt Service from PILT). The FY 15 budget apportioned \$50,000 of federal PILT into the county Debt Service Fund. The county would use this and any greater than anticipated amount to repay the inter-fund loan back to the Building

Reserve Fund. The interest rate would be calculated at the end of each fiscal year at 1.99% until the loan is paid in full.

Alternatives include that the county could proceed with a lease purchase agreement with Wells Fargo bank as noted in their submittal to our request for proposal for MTF for the purchase of road equipment.

Chairman Erquiaga asked if there was any public comment but there was none. Commissioner Scharmann commended Comptroller Kalt. He watched Alan for a lot of years when he was at the college and watched the county and he saw some of the work that he did but, being immersed in the county's business now, Alan came to him to discuss this and then he read it. He thinks it is just another example of where Alan really goes the extra mile to make things happen. He was the one that asked Alan if he could figure out a way to finance this thing and this is what he comes up with. He thinks it is just a great solution to this situation and he appreciates it.

Commissioner Olsen said, where we are going to be pulling that money out of the Building Fund and where we could potentially have to move forward with something, such as plans, is there plenty of funding in that Building Fund to be able to handle whatever we might want to do in the near term? For example, if we wanted to spend more money for plans for a jail? Comptroller Kalt said that is an excellent question. There is over \$2M in that fund. We could use another fund if we had to. There is \$2,185,981 in the Building Reserve Fund currently. That would be why he would want to pay it off in a three year window. If we were to move forward with the jail, Senior Center, or other capital projects, we would want to have access to those funds.

Commissioner Olsen asked Comptroller Kalt to walk him through, from beginning to end, how this money flows through the Road Department budget and back into repayment. Comptroller Kalt said what happens is the actual purchase itself will take place out of the Road Equipment Replacement Fund. If you will recall, we earmarked \$100,000 of that funding to help pay for it. We have moved \$100,000 into the fund from Extraordinary Repairs and Maintenance to pay for that. We have put \$100,000 of federal PILT for last fiscal year in the Debt Service Fund. We propose to move that \$100,000 over into the Building Reserve Fund. At that point, we will have moved \$300,000 of the \$550,000 necessary. We would be short \$250,000 that we would transfer into the Interfund Loan from the Building Reserve Fund to the Road Equipment Fund. We would move the money from the Building Reserve Fund to the Road Equipment Fund, so now they have the \$550,000 to pay for the equipment. Then what will happen is that we are financing \$250,000. We will get our federal PILT in June 2015 and will earmark a portion of that for the repayment of that. The remaining balance would end up being paid with money in the Road Equipment Fund back to the Building Reserve Fund for one day because an Interfund Loan can only be for a period of one year. On July 1st, we would come before the board to issue a new note and let's say that we paid down \$100,000, so then, instead of \$250,000 it would be \$150,000 now. We would have paid \$100,000, plus 1.99% interest for that one year in the prior year, and would then have a note for \$150,000 that the Building Reserve Fund gives to the Road Equipment Replacement Fund and then the payment is made within three years. He thinks, depending upon the amount of money that we collect on federal PILT, we may be able to pay it off sooner. You will have those annual transactions going back and forth to pay off that loan. It will be a series of three one-year loans. Commissioner Olsen said he appreciates the explanation and what he is hearing is that we are not using any of the gas tax revenues to pay for this. Comptroller Kalt said, when we went out to purchase the dozer and to do the initial

financing plan, it was discussed to use federal PILT, whether we are using it internally or whether we are doing it externally, we did not anticipate using gas tax revenue to pay for the dozer.

\ Chairman Erquiaga said he appreciated the narrative on how the transactions take place, which he had figured quite closely. You might think of it as paper chasing but it is what has to be done. He asked to restate what he thinks Comptroller Kalt explained: \$100,000 will come from the Road Equipment Replacement Fund now, \$100,000 will come from Extraordinary Repairs and Maintenance Fund now, and \$100,000 from this last PILT payment, which was greater than anticipated. He wonders if we should consider not using Extraordinary Repairs and Maintenance money and finance \$350,000 just so that it is all federal PILT and all Road Equipment Replacement Fund. He is not married to that but wanted to throw it out, unless we would have to bring it before the board two more times. Comptroller Kalt said he is happy with whatever the board's direction is but he would like to get the debt paid off, whether internally or externally, as quickly as possible. The Extraordinary Repairs and Maintenance Fund has a balance of \$576,341 and we budgeted with the anticipated move of that \$100,000 out of the fund. There is adequate funding there if the board wants to use that fund. If you do not want to, he can appreciate that and it would allow more money for unforeseen extraordinary matters in the future. It is whatever the board's preference would be.

Commissioner Scharmann said he would prefer to leave it as Comptroller Kalt has proposed. It is all county money. The thing he likes about it is that, before we want to build a law enforcement facility, that money is paid back. That is how his simple mind looks at it. We are borrowing it from that account but it will be paid back before we actually need it for that facility, so it is not taking anything away from that law enforcement facility. Chairman Erquiaga agreed. There were no further questions or comments.

Commissioner Olsen made a motion to approve the financing of the purchase of a dozer with an inter-fund loan from the Building Reserve Fund, noting that the loan would be for \$250,000 at an interest rate of 1.99%. The loan would be paid with the apportionment of Federal PILT revenues and any greater than anticipated PILT revenues subsequently received would be used to pay off the inter-fund loan. Furthermore, to authorize the Comptroller to take the necessary steps to complete this transaction in accordance with the Nevada Administrative Code and the Nevada Revised Statutes.

Commissioner Scharmann seconded the motion, which carried by unanimous vote.

8:50 a.m. Consideration and possible action re: Approval of Southwest Gas Franchise Agreement, Benjamin D. Shawcroft, Deputy District Attorney.

Deputy District Attorney Shawcroft reported that, pursuant to NRS 709.060, Southwest Gas has applied for a Franchise Agreement for the delivery of natural gas to customers in Churchill County. The county currently has a Franchise Agreement with Southwest Gas, which was entered into on March 15, 1989. This agreement is set to expire on September 15, 2014. The proposed Franchise Agreement was provided with the Agenda Report and is explained here in general terms:

1. The term of the proposed agreement is 25 years. This is the maximum term allowed by law.
2. The franchise fee that the county will receive will be called a "business license fee" and will follow the recently approved public utility business license fee

ordinance; the rate will be set at 2% gross revenue until the new ordinance goes into effect on October 1, 2014, at which time the rate will move to 3%; the rate will adjust automatically every other year, until it reaches the 5% statutory cap, where it will remain until the end of the 25 years.

3. On or before July 1st of each year, the county will deduct 2% of the net profits received from Southwest Gas 2%, which will be transmitted to the Churchill County School District Fund. This is required by NRS.
4. Section 7 discusses who will pay for the relocation of gas system facilities under different scenarios. Generally speaking, Southwest Gas will pay to relocate systems that are part of a county funded government project. The county will pay if the relocation is necessitated by the county in furtherance of a non-governmental function. If the county requires the relocation of systems within private easements then the county will pay the cost. There are additional unique scenarios outlined in section 7.
5. The rest of the agreement contains general contract provisions.

The fiscal impact, with the increase in the rate for the franchise/business license fee, the county will see a slight gain in revenue.

Deputy Clerk Moore testified that the legal notice was published pursuant to statutory guidelines.

Del Schoening, from Southwest Gas, was in attendance and available to answer any questions the board might have.

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

Commissioner Scharmann made a motion to approve the Franchise Agreement between Churchill County and Southwest Gas Corporation for a term of 25 years. Commissioner Olsen seconded the motion, which carried by unanimous vote.

8:55 a.m. (A) Consideration and possible action re: Acceptance of Community Development Block Grant (CDBG) and Sub-recipient Agreement for FY 2015 Northern Nevada Development Authority, Shannon Ernst, Social Services Director.

Social Services Director Ernst reported that, in January 2014, Churchill County submitted an application to the Governor's Office on Economic Development Community Development Block Grant program. The funds have been awarded totaling \$90,000 to provide professional services and expenses to carry out the project. The overall scope of work is designed to create a marketing and asset plan to create employment within the area. It is required that a minimum three low to moderate income (LMI) jobs will need to be provided.

Initially, only \$105,000 was requested but, based off of prior NNDA similar projects and the costs, the committee recommended \$90,000 be awarded. A total of \$90,000 was awarded with no cash match required from the county.

The environmental assessment has been updated and submitted for signature at this time. Once this award, agreement, and updated environmental is submitted, a Notice to Proceed should be received. The agreement and award have been reviewed and approved to proceed by the Civil District Attorney's Office.

Chairman Erquiaga asked if there was any public comment. Jim Falk said, as he has done on at least one other occasion, he cautioned the board to go through these grants with a fine-toothed comb to ensure that you will not be restrained from doing something you might want to

do or to be forced to do something that you do not want to do or anything of a fiscal nature that would cause problems later.

Social Services Director Ernst pointed out that there is no cash match with this grant. This is all in-kind work that will be done by county staff and committee members. Commissioner Scharmann said he wanted to respond to Jim Falk's comments. He believes they are all watching pretty closely and do not want any strings attached. We are pretty careful about that. This one, for economic development, really backs up a commitment that we have tried to make with the Northern Nevada Development Authority to see if our partnership with NNDA is a viable thing and if it will pay off for Churchill County. The reason he voted for this is to give NNDA a good shot at success here in Churchill County.

Social Services Director Ernst added that the committee met for the first time last week. One of the things that will be coming forward at the next meeting is their outcomes for their membership and then we have a separate agreement for this grant. We do not want those lines to be crossed. Certain things will be produced under our membership with NNDA and then the agreement will outline the things that will be produced under the grant. That will be presented at the next meeting to make sure that the county is getting its membership contract fulfilled and also this proposal fulfilled.

Commissioner Olsen asked Comptroller Kalt if there is anything else that we could address to Jim Falk's concerns. Comptroller Kalt said what is important to understand is that, when we accept grants, we are subject to the single audit act. There are a lot of federal guidelines that we must follow. If we get one grant or we receive twenty five grants, the same amount of single audit work, the drug free workforce, and all of those types of things that we must comply with, remain the same. He provides training to all of our staff involved in grants so that we are following those guidelines. He appreciates Mr. Falk's concerns. The county looks at those things and we set a threshold on grants where certain grants under a certain dollar amount may cost more in time, energy, and effort than the amount we may receive. That is why you see the grants that we go after being larger dollar grants. They are reviewed on a case-by-case basis. The County Manager and he look at them, as well. Commissioner Olsen said he was glad to see that there will be communication on a monthly basis.

Commissioner Olsen made a motion to accept, as indicated by the signature of the Chair, the Community Development Block Grant totaling \$90,000 for the Economic Development Plan and Implementation Project and to further authorize the Chair to enter into the Sub-Recipient Agreement with Northern Nevada Development Authority to carry out the scope of work. Commissioner Scharmann seconded the motion, which carried by unanimous vote.

8:55 a.m. (B) Consideration and possible action re: Acceptance of Community Development Block Grant (CDBG) and Sub-recipient Agreement for FY 2015 Tenth Judicial District Court, Shannon Ernst, Social Services Director.

Social Services Director Ernst reported that, in January 2014, Churchill County submitted an application to the Governor's Office on Economic Development Community Development Block Grant program. The funds have been awarded totaling \$11,705 to provide funding to implement the project. The overall scope of work is designed to purchase equipment and to provide media support and training for the program.

Initially, \$65,815 was requested but, based on the committee's recommendation not to fund county staff salaries, a total of \$11,705 was awarded to purchase equipment, software

licenses, media, advocate training, and travel expenses. A total of \$11,705 was awarded with no cash match from the county. All matching is based off of volunteer/advocate time and additional grants received.

The environmental was submitted and accepted with the initial application and is submitted for signature at this time. Once this award and agreement are submitted, a Notice to Proceed should be received. The agreement and award have been reviewed and approved to proceed by the Civil District Attorney's Office.

Chairman Erquiaga asked if there was any public comment but there was none. Commissioner Scharmann asked Social Services Director Ernst if she has some ideas about grants for salaries because De Vere Karlson is volunteering her time at present. Ms. Ernst said Ms. Karlson has volunteered her time to get the program going and to give a certain timeline of commitment. They are looking for additional funding. One of the restrictions they had was you could not obtain foundation grants passed through the National CASA Foundation for the first year of operation due to the fact you have to show that you are meeting your outcomes. That requirement was waived. We received a letter a couple of months ago that said we could go ahead and proceed to obtain those grants and those should be released soon. De Vere Karlson and Sue Sevon are working on those through the Tenth Judicial District Court. At this point, we are just going to oversee CDBG through Social Services and the rest will be handled through the Tenth Judicial District Court.

Commissioner Scharmann made a motion to accept, as indicated by the signature of the Chair, the Community Development Block Grant totaling \$11,705 for the CASA (Court Appointed Special Advocate) project and to further authorize the Chair to enter into the Sub-Recipient Agreement with the Tenth Judicial District Court to carry out the scope of work.

Commissioner Olsen seconded the motion, which carried by unanimous vote.

8:55 a.m. (C) Consideration and possible action re: Agreement with Community Services Block Grant (CSBG) for the provision of General Community Action Activities for Churchill County Social Services, Shannon Ernst, Social Services Director.

Social Services Director Ernst reported that the Community Services Block Grant (CSBG) funds are awarded annually based on formulas of poverty, unemployment rates, and population within each community. For Fiscal Year 2015, demographic information was tested and Churchill County has received a reduction from \$75,013 to \$62,034.

The CSBG funding shall be utilized to support:

Staffing: 40% FTE Clerical Specialist
50% FTE Project Coordinator
40% FTE Transitional Housing Case Worker – HUD provides additional costs
Supports for Adult Employment Program
Earned Income Tax Credit Program
Community Partnership Committee
Budgeting Classes
Youth Internship Program
Training & Travel: Staff & Advisory Board
Financial costs for ELogic Software – Required to maintain funding and
Community Action Status
Media Costs to support programming

The fiscal impact would be to receive grant funds supporting programming at \$64,034 and we anticipate \$31,617 in carry-over funds from Fiscal Year 2014, which will be used to offset other grant funds such as HUD and ESG. The funding would come from the Community Services Block Grant (CSBG).

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

Commissioner Olsen made a motion to accept CSBG funds and to authorize the Director of Churchill County Social Services to sign the necessary agreements to proceed in providing general Community Action Activities for Fiscal Year 2015. Commissioner Scharmann seconded the motion, which carried by unanimous vote.

8:55 a.m. (D) Consideration and possible action re: Approval of agreement with Housing and Urban Development (HUD) for the provision of the Primary Assistance and Transitional Housing grant, Shannon Ernst, Social Services Director.

Social Services Director Ernst reported that the Primary Assistance and Transitional Housing Program has been in existence and funded by HUD since 2003. The program provides up to 5 families or 13 beds for housing and case management to elevate the homeless in Churchill County. The grant requires that there be a 0% match on housing and a 25% match on supportive services (case management). Even though there is no match requirement on housing, match funds have been obtained through the Western Nevada Home Consortium (WNHC), prior to closing the consortium. The funding for housing was obtained to meet the additional costs and need. Through the allocation from CSBG, funds are allocated on an annual basis to meet not only the required matching costs of case management/supportive services but also the additional need.

In addition, as of July 1, 2014, an environmental review is required for the project area. As required, the area of leasing has been reviewed, documented, and restrictions have been outlined to ensure no program participants enter into agreements located in flight or flood zone areas.

HUD funding for renewal is \$74,919 annually, maintained from Fiscal Year 2014, which is a 63% increase from Fiscal Year 2013. The total awarded for CSBG case management/supportive services is \$22,397 and WNHC \$78,000 for housing through FY 2015 with 7% administrative costs.

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

Commissioner Scharmann made a motion to accept HUD funds, as indicated by the signature of the Chair of the Churchill County Board of Commissioners, awarded to Churchill County for the provision of the Primary Assistance and Transitional Housing grant. Commissioner Olsen seconded the motion, which carried by unanimous vote.

8:55 a.m. (E) Consideration and possible action re: Request for budget amendment with Housing and Urban Development (HUD) for the provision of the Primary Assistance and Transitional Housing grant to include a cost share for HMIS, Shannon Ernst, Social Services Director.

Social Services Director Ernst reported that, in order to obtain ESG and HUD SHP funding, it is required that all program participants be entered into the Statewide Clarity HMIS data system. Over the past 10 years, the funding to provide the system has been provided by HUD SHP and ESG dollars. During the past HUD funding cycle, the SHP funds were not awarded.

After several meetings with HUD, the State Housing Division, and the Continuum of Care Program, it was found that grantees could allocate funds from their HUD SHP awards to maintain the mandated system. In a meeting held with the above-mentioned agencies on Thursday, July 24, 2014, it was identified that Churchill County would only have \$4,746.59 available to allocate to the data for the current grant Fiscal Year 2014-2015 but that it could have up to 10% in the Fiscal Year 2015-2016 allocation.

At this time, it is requested that authorization is provided to the Director of Social Services to negotiate the final terms and amendments and further authorize the Chair to sign approved amendments required by HUD to compete the necessary agreements.

Chairman Erquiaga asked if there was any public comment but there was none. Commissioner Scharmann asked what formula they are basing this reduction on. He assumes this is all formula funding. Ms. Ernst said what is so confusing is that, back in Fiscal Year 2014, HUD allocated a lot more dollars to supportive housing projects, which was where we had that large increase. She did not need that large increase to support our program but you are required to accept the funds that will pay for the beds that you state you will have. If she tells them that she will have 1 one-bedroom, 2 two-bedrooms, and 3 three-bedrooms, then, based on the affordable rental costs projected for our area, that is how they are funded. They had matching dollars to cover this, so it has allowed extra dollars to be there. With HUD, they have stated what cap we have and provided the extra money for these beds but the maximum that the rural areas will ever receive is \$600,000. They make us accept an increase. When we go in for rankings, there is a committee that determines the Tier 1 counties that will be heard first and then, if they run out of money and HUD is not going to fund anymore, they will drop off Tier 2 counties. She does not know why the consultants said that this would automatically be funded. We are out of money, so we need to work on our ranking in the future. They will not provide additional money. They will say we have to accept additional money but they will not provide us with additional funds to the overall rural areas. The hard part with this is that we are required to submit to HMIS, which is a great data system. She can have someone come into the office who might have been in Las Vegas yesterday and she can see the activity. It is a great system and she would like to see it implemented more across the state but it is something we have to fund throughout the whole state. This is a local company, which is BitFocus out of Las Vegas. They have been great to work with. When she was in Vegas two weeks ago, she met with them and they agreed to put extra items in there for them to do evaluation.

Commissioner Olsen made a motion to authorize the Director of Churchill County Social Services to negotiate the amendments of contracts with HUD for up to 10% to allow for a Clarity HMIS access and to authorize the Chair to sign all amendments pertaining to HMIS through Fiscal Year 2016.

Commissioner Scharmann seconded the motion, which carried by unanimous vote.

8:55 a.m. (F) Consideration and possible action re: Update and approval of contract with the State of Nevada Health and Human Services (HHS) Environmental Services Partnership, Shannon Ernst, Social Services Director.

Social Services Director Ernst reported that, as of July 2011, legislation was passed that required counties to provide funding for services from the state level. The Legislature reviews these functions and the cost allocation during each session and inter-local agreements were drafted as required. As of Fiscal Year 2014, it was determined by the state that a contract was not required and that the counties just needed to pay the costs to fund the program within the

designated area. Based on conversations with Joe Pollock, from the Division of Health and Human Services, it was agreed that a contract is necessary to outline what the charges are and what the county receives for these funds. In previous contracts, we received an annual credit from the state for \$1,100 for office space provided. As July 1, 2014, an additional office has been provided to accommodate additional staff working from this area. Based on these changes, the new credit by the state is \$2,200 annually.

Environmental Services is the only function that a contract is not required but the function is provided by the state and reimbursed at a not-to-exceed amount of \$49,872.88 annually. The functions of the Environmental Services office include oversight of food establishments, sanitation programs, child care facilities, bottled water programs, and meat/poultry activities, etc.

The fiscal impact for Fiscal Year 2014 is \$18,468 and a not-to-exceed amount of \$49,892.88 for Fiscal Year 2015, which will be paid from the General Fund quarterly, based on actual costs.

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

Commissioner Scharmann made a motion to accept the contract, as indicated by the signature of the Chair, with the Nevada Division of Public and Behavioral Health to provide Environmental Services for Fiscal Year 2015 and Fiscal Year 2016. Commissioner Olsen seconded the motion, which carried by unanimous vote.

8:55 a.m. (G) Consideration and possible action re: Social Services Indigent Updated Guidelines, Shannon Ernst, Social Services Director.

Social Services Director Ernst reported that, during the 2013 Legislative Session, changes were adopted to revise Nevada Revised Statutes (NRS) 428. Previously, the statute stated "medically indigent". The word "medical" has been stricken from the statute to just state safety net services shall be provided to indigents. Based on this change, it is required that counties evaluate their revenue structure, definitions, and policies.

A committee of four county representatives was formed through the Nevada Human Service Provider Association to complete the tasks. Churchill, Lyon, Douglas, and Carson have met on a regular basis to outline the overall policy and to define indigent as it would be represented through the rural areas. Other counties may choose to adopt alternative guidelines and definitions as fit for their communities.

Churchill County Social Services asks that the proposed basic guideline and definitions be approved based on content. The next step of the committee will be to update county codes/ordinance to align with the adopted policy.

The Social Services Advisory Committee has been involved in the review of the policy and is in support of the adoption and their minutes were provided to the board for review. This is not an ordinance but has been a recommendation to conduct a first reading and allow for public comment prior to adoption at the meeting.

Chairman Erquiaga asked if there was any public comment but there was none. Chairman Erquiaga asked if she was looking for board approval today. Ms. Ernst said she would like board action to approve these guidelines so they can move forward with the other necessary steps. She wants to make sure that the board is comfortable with this before they move forward. They are looking to define that indigency is no longer going to be based off of that \$438. We are looking to align our services and guidelines with the state, so if somebody is eligible for Medicaid, they would not be coming into Social Services to obtain that medical but they could

obtain emergency medical services and other services for health and safety, such as cremation, burial, and things of that sort. Individuals that are still at the 138% of poverty can't afford certain items, so these are things we want to align and make sure that it is accessible for the community but, yet, we are recognizing our funding barriers and restrictions as we move forward.

Commissioner Olsen made a motion to approve the Social Services Updated Indigent Guidelines as submitted or revised and to proceed to update Title 2 of the Churchill County Code. Commissioner Scharmann seconded the motion, which carried by unanimous vote.

LETTERS RECEIVED: None.

OLD BUSINESS: None.

NEW BUSINESS:

A. Consideration and possible action re: Resolution 19-2014 which seeks to augment the Fiscal Year 2013-2014 Budget of the Enterprise Funds in accordance with the Nevada Revised Statutes.

A RESOLUTION TO AUGMENT AND AMEND THE 2013-2014 BUDGET OF THE ENTERPRISE FUNDS OF THE COUNTY OF CHURCHILL, NEVADA, AND OTHER MATTERS PROPERLY RELATING THERETO.

Comptroller Kalt reported that Resolution 19-2014 seeks to augment and amend the 2013-2014 budget of the Enterprise Funds of the County of Churchill. The augmentation is to implement changes in the budget due to increases in expenses within the Enterprise Funds. The augmentation is needed to be in compliance with the Local Government Budget Act contained in NRS 354. This is a housekeeping item for the budget (see the discussion for the details of the individual fund activities and related statutes regarding Budget Augmentations below):

NRS 354.598005 Procedures and requirements for augmenting or amending budget.

1. If anticipated resources actually available during a budget period exceed those estimated, a local government may augment a budget in the following manner:
 - (a) If it is desired to augment the appropriations of a fund to which ad valorem taxes are allocated as a source of revenue, the governing body shall, by majority vote of all members of the governing body, adopt a resolution reciting the appropriations to be augmented, and the nature of the unanticipated resources intended to be used for the augmentation. Before the adoption of the resolution, the governing body shall publish notice of its intention to act thereon in a newspaper of general circulation in the county for at least one publication. No vote may be taken upon the resolution until 3 days after the publication of the notice.
 - (b) If it is desired to augment the budget of any fund other than a fund described in paragraph (a) or an enterprise or internal service fund, the governing body shall adopt, by majority vote of all members of the governing body, a resolution providing therefor at a regular meeting of the body.
2. A budget augmentation becomes effective upon delivery to the department of taxation of an executed copy of the resolution providing therefor.
3. Nothing in [NRS 354.470](#) to [354.626](#), inclusive, precludes the amendment of a budget by increasing the total appropriation for any fiscal year to include a grant-in-aid, gift or bequest to a local unit of government which is required to be used for a specific purpose as a condition of the grant. Acceptance of such a grant and

agreement to the terms imposed by the granting agency or person constitutes an appropriation to the purpose specified.

4. *A local government need not file an augmented budget for an enterprise or internal service fund with the department of taxation but shall include the budget augmentation in the next quarterly report.*

The fiscal impact allows the appropriation of additional expenses that were not included in the Fiscal Year 2013-2014 Final Budget as submitted to the Department of Taxation in May 2013. Revisions to the Utility Enterprise Fund in the amount of \$500,000 are for additional Bad Debt Expense related to non-payment on Developer Agreements, the Waste Water Enterprise Fund in the amount of \$175,000 for additional Depreciation Expense, and \$500,000 for Bad Debt Expense related to non-payment on Developer Agreements, and an additional \$25,000 in Depreciation Expense in the Golf Course Enterprise Fund. These augmentations, as well as those from CC Communications, will be included in the 4th Quarter Economic Survey sent to the Department of Taxation in accordance with the statutory provisions.

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

Commissioner Scharmann made a motion to approve Resolution 19-2014, which augments the Fiscal Year 2013-2014 budget in accordance with the provisions of the Local Government Budget Act in NRS Chapter 354.

Furthermore, directing the Comptroller's Office to include these changes in the next quarterly report (4th Quarter) to be submitted to the Department of Taxation to be in compliance with the applicable Nevada Revised Statutes.

Commissioner Olsen seconded the motion, which carried by unanimous vote.

B. Consideration and possible action re: Budget Transfer #01-FY 15.

Comptroller Kalt reported that, in accordance with the Local Government Budget Act, the Comptroller's Office would like to submit to the Board of County Commissioners budget transfer #1 for Fiscal Year 2014-2015. In accordance with the Act, the reason for the transfer and the transfer must become part of the official minutes of the meeting. During the budget hearings held for the Fiscal Year 2014-2015, it was discussed to establish an Indigent Defense Department within the judicial function. The department was not included in the Final Budget submitted to the Department of Taxation. This budget transfer would establish the Indigent Defense Department and transfer in appropriations for the Court Appointed Attorney, Public Defender Costs, Professional Fees, and PSI production reports from the District and Justice Court Budgets into the Indigent Defense Budget. As such, the transfers are to adjust the budget to more accurately reflect the estimated expenditures within the funds, based on needs determined by the various departments. The transfers do not increase the overall appropriations within the various funds.

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

Commissioner Scharmann asked if this moves that budget from District Court over to the county. Who will oversee this along with Comptroller Kalt? Comptroller Kalt said it will be overseen by the District Court Judge and the Court Administrator will be the primary staff assigned to this.

Commissioner Scharmann made a motion to recommend approval of the budget transfers as submitted and make the transfers part of the official Minutes of the Board of County Commissioners as required by the Local Government Budget Act. Commissioner Olsen seconded the motion, which carried by unanimous vote.

Commissioner Olsen asked, after the vote was taken, if we need to make this motion more specific, as the foregoing motion was fairly vague. Deputy DA Shawcroft said he thinks it would be better if we could make it just a little more specific instead of just "as submitted". Comptroller Kalt said the attachment shows the budget transfer detail.

Commissioner Scharmann made a motion to recommend approval of the budget transfer #01-FY 14-15 pertaining to indigent defense and make the transfers part of the official Minutes of the Board of County Commissioners as required by the Local Government Budget Act. Commissioner Olsen seconded the motion, which carried by unanimous vote.

C. Consideration and possible action re: Request transfer of funds to the Churchill County Road Department for the Sunrise Terrace/Penelope Drive Asphalt Improvement Project and the Golden Parkway Asphalt Improvement Project.

Road Secretary Naomi Clay reported that, at the regular Regional Transportation Meeting held on July 16, 2014, the board approved the following transfers, subject to available funding:

1. Transfer of funds to the County Road Department in the amount of \$263,854.22 from Regional Transportation Fund 280 for first and final payment on the Sunrise Terrace/Penelope Drive Asphalt Improvement Project. **PRIOR FISCAL YEAR**
2. Transfer of funds to the County Road Department in the amount of \$235,122.29 from Public Transit Fund 395 for first and final payment on the Golden Parkway Asphalt Improvement Project. **PRIOR FISCAL YEAR**
3. Transfer of funds to the Equipment Replacement Fund in the amount of \$2,469.43 from Public Transit Fund 395 for first and final payment on the Golden Parkway Asphalt Improvement Project. **PRIOR FISCAL YEAR**

The fiscal impact will be: to the Churchill County Road Department - \$263,854.22 – Regional Transportation Funds and \$237,591.72 -- Public Transit Funds.

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

Commissioner Olsen made a motion to approve the transfers as approved by the Regional Transportation Commission at their July 16, 2014 meeting pertaining to the Sunrise Terrace and Golden Parkway asphalt improvement projects on two different counts from prior fiscal year funds. Commissioner Scharmann seconded the motion, which carried by unanimous vote.

CONSENT ITEMS (Action items generally not requiring discussion or explanation)

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.

1. INFORMATIONAL ITEMS –

- A. Consideration and possible action re: Nevada Division of Environmental Protection's No Further Action Determination for the petroleum spill/release at Bango Refining in Churchill County, Nevada under Spill Report #131210-02.
- B. Consideration and possible action re: Appeal filed by the Western Watersheds Project of the Bureau of Land Management's Grazing Preference for the Argenta Allotment.
- C. Consideration and possible action re: Notification from the Nevada Governor's Office of Economic Development of its review of the Public

Building ADA Project and the Access to Health Care Network grants funded by CDBG.

- D. Consideration and possible action re: Les Martin provides additional information provided to the Nevada Society of CPAs and 49 RMAC Property LLC related to his complaint against Kafoury, Armstrong and Company.
- E. Consideration and possible action re: Bureau of Land Management's 2013 Willow Creek Fire Wildfire Management and Livestock Closure Decision.
- F. Consideration and possible action re: Nevada Division of Environmental Protection's request for release/spill information from Clark Builders Group for the Desert Winds Military Housing near 755A Orchard Drive, NAS Fallon, Nevada, that was reported on June 26, 2014.
- G. Consideration and possible action re: Letter of appreciation from the Nevada Department of Transportation for the opportunity to present their Annual Work Program.
- H. Consideration and possible action re: Nevada Division of Environmental Protection's request for release/spill information from Bango Refining NV, LLC for an oil/water mixture at 22211 Bango Road, Fallon, Nevada that was reported on June 25, 2014.
- I. Consideration and possible action re: Letter from Modesta Tiewater related to her concerns with items placed at the Churchill County Cemetery.
- J. Consideration and possible action re: Department of Taxation Quarterly Report regarding the county's economic condition for the quarter ending June 30, 2014.
- K. Consideration and possible action re: Bureau of Reclamation (BOR) Final Environmental Assessment and Finding of No Significant Impact for the Truckee-Carson Irrigation District, Lewis Wasteway Replacement and Low Head Hydroelectric Project.
- L. Consideration and possible action re: Bureau of Land Management's drought related decisions on the Argenta Allotment.
- M. Consideration and possible action re: Nevada Division of Environmental Protection's request for release/spill information from Terra-Gen for its Dixie Valley Facility for a lubricating oil release that was reported on July 21, 2014.
- N. Consideration and possible action re: Bureau of Land Management's Mule Canyon Mitigation Project Environmental Assessment (EA) analyzing and disclosing impacts of a proposed project approximately 15 miles east of Battle Mountain, Nevada by Newmont Mining Corporate for the Mule Canyon Mine.
- O. Consideration and possible action re: Fallon Downtown Merchants Associations Farmer's Market License Agreement for use of the vacant lot by the Public Library.
- P. Consideration and possible action re: Audit Engagement Letter from Kafoury Armstrong and Company related to the general Churchill County audit for this Fiscal Year Ending June 30, 2014.
- Q. Consideration and possible action re: Letter of Appreciation to Shawn Kohltfarber for his years of service as a member of the Churchill County Planning Commission.

2. REVIEW –

- A. The Churchill County Social Services Office provides notification of the court's termination of a temporary Guardianship for Ward #12564 pursuant to Chapter 159 of the Nevada Revised Statutes.

3. COMMITTEE AND DEPARTMENTAL REPORTS –

- A. Treasurer's Report for June 2014.
- B. Planning Department's Report for June 2014.
- C. Building Department's Report for June 2014.
- D. Social Services Fourth Quarter Report for Fiscal Year 2013-2014.

Chairman Erquiaga informed the board that he had been asked to pull Item I from the Consent Agenda for discussion purposes: Consideration and possible action re: Letter from Modesta Tiewater related to her concerns with items placed at the Churchill County Cemetery. Facilities, Parks and Recreation Director Guerrero and Parks Maintenance Lead Claude Parsley were present to address the matter. Mr. Guerrero said they received the letter from Mrs. Tiewater addressing her concerns about removal of items from the gravesites. They want to inform the board about their policy and some of the challenges they have faced and how that can be perceived as an issue for the folks who come out there. They wanted to allow the board to ask any questions the board might have about this matter. Mr. Parsley said, several years ago, the Cemetery decided that, once they picked up everything twice a year at the Cemetery, that they would hold back certain items that could be sentimental or cost worthy. A lot more items have started to accumulate over the past few years that people purchase to place on graves, such as Shepherd's hooks, solar lights, and decorations. When they do the clean up twice a year, they decided to hold back some of these items so people could come back and claim them if they were not able to pick them up beforehand. Over the years, that has become quite a challenge because a lot of things were left behind so, when they are trying to pick everything up, they are taking extra time to save stuff in the shop. It has been nice except that people, over the years, have started to expect them to do that instead of coming by to pick up their own things. They have put ads in the newspaper and on the radio, as well as the signs posted up front that specify the dates of when these items need to be removed. They have told people that they throw everything away that is left behind but they have, in practice, taken it upon themselves to save some of those items for people. Now, more than anything, they get people who come back two months after everything has been cleaned up and expect to find the stuff. These items have been stored in the shop and the people go through the items to find their things, or not, depending on what has been kept. They have no way of knowing what is sentimental to people. He has little wooden crosses that were weather-worn for a year that people want to save that were taken out back. They also used to take everything off and just immediately take it to the clump and dispose of everything. Years ago, they decided that many of the silk flowers could still be used, so most of that stuff is taken out to the back of the property and left at a dump site and, if anybody wants to go through and get any of those recycled flowers to reuse them, they can do that. If there is anything that they missed that somebody might have wanted to save, they can go to the back to look and see if it is still there. They are trying to phase that out because it takes up so much room in their shop that they really do not have room for it, such as glass vases, ceramic knick-knacks that get knocked down and broken, piles of Shepherd's poles that get leaned up against the wall, and that sort of

thing. It would be okay if people didn't really expect it but they have found that people have started to expect that instead of removing their items when the scheduled clean ups are posted. They are trying to phase out the fact that they will save anything. He has been telling people who come in to get their things that they plan to stop doing that and informing them that they need to remove their items they want to save. He doesn't know how else they could get the message out to people when the clean ups are scheduled. They have put extra signs up front, they have signs on the front of the office door that specifies the dates when it is done twice a year, and, sometimes, people that come back to get their things that are gone are unhappy, as they spent money on the items. The only thing he can tell them is that he is sorry and ask them to be more responsible by removing those items before it is time to remove the items. The clean ups are always done a week after Memorial Day and a week after New Year's Day every year.

Mr. Parsley said he knows Mrs. Tiewater because, over the last five or six years, she is one who comes back expecting to get her items several months after they have done the clean up. He understands her concerns that she could not find her items this year but, unfortunately, they had some help picking things up and sometimes the people who help do not know exactly what to keep because there is no official process. This is something that they have just done to help people out but it is becoming more of a hassle than anything else for the staff. The reason they remove everything twice a year is because everyone brings items out for Memorial Day and they are unable to get the work done with all of the items placed at that time. There is way too much stuff and it prevents them from mowing or weed eating, so they have to remove it and be able to start fresh. After New Year's, everything is again removed, as people bring Christmas decorations, Halloween decorations, fall decorations, and that is the only time they will come out for six months and the stuff is just left there. You end up with rotten pumpkins and Christmas trees, so it is just easier to go in and clean it up again and start fresh. They only remove everything twice a year, when many cemeteries do a weekly removal or a monthly removal. Other than the twice yearly removal, they only remove whatever is dead or weather-worn more often. The twice removal is important because it is the only time they can actually go through and get everything cleaned up and start fresh all over again.

Chairman Erquiaga asked if those dates are posted somewhere. Mr. Parsley said they have two signs outside the fence, one on each side where you come in, about a month before the clean up, and he will write in the dates when everything must be removed and the date that everything can be put back on. They also have a sign on the office door that states it is done twice a year and to ask for specific dates. The specific dates are posted about a month before they do a cleanup but the actual date changes every year, so they can't have something that specifies a date. Mr. Guerrero said it will always be the week after Memorial Day and the week after New Year's Day, so that doesn't change and people can figure it out for themselves but they also post the actual dates. Since this has happened, they have also discussed doing more signage and posting it on the roadway so that, when people drive in, they can see it. They are also putting together a trifold brochure that will be given to everybody that buys a plot or has a service, which will list the dos and don'ts and which will list when they will conduct the removal of items. It is only done twice a year, so it gives them plenty of time to come back out and get their things. A majority of the people who come out are from out of town but come to

visit and leave their stuff and then they don't come back until six months later or the next year.

Mr. Guerrero said another issue is that the wind blows hard around here and, if you look to the east of the Cemetery, you will see flowers and other things out in the desert. The residents in the area also get things blown into their yards. They are trying to be as fair as possible. After the initial pickup, they have another 6 months to bring their stuff out and leave it on the gravesites.

Chairman Erquiaga said he called Mrs. Tiewater, who was not home at the time. He spoke to a man, who may have been her husband but he does not know. They discussed the matter and he asked the man what resolution they wanted from the board. Basically, they wanted to make the board aware of the situation. He knows they are concerned that maybe, with scrap metal prices and things like that, people were taking things they shouldn't be taking. He does not know if that is a possibility but probably not.

Mr. Parsley said that Mrs. Tiewater hinted, when she came out looking for her things, that maybe some of the Cemetery employees were taking these items. He assured her that they had Shepherd's poles in the office that had been there for 6 months, which had not been claimed. They had wrought iron crosses that people had made, which had been removed and were still sitting in the shop. He explained to her that they had no interest in taking the Shepherd's poles and doing anything with them. They take them, set them aside, and, if people claim them, they claim them. If 6 months go by and they have to again pick things up, they take everything that was left over from 6 months ago and take it to the dump site. If it is left over out there and people want to claim them, they can do that because it is left open to anybody. They could take the stuff straight to the dump but, if somebody can get some use out of the silk flowers or a Shepherd's pole that nobody has claimed in a year, that could be done.

Chairman Erquiaga said it is not even possible for them to know who a Shepherd's pole may belong to. He thinks they have attempted to be sensitive to the needs and he realizes that they have a job to do. Mrs. Tiewater's letter will be noted in the Minutes.

Commissioner Olsen asked if the policies they have been discussing have all been vetted through the Cemetery Board. Mr. Guerrero said they have and are included in the Cemetery Regulations, which have been there for years. This item has been addressed and discussed before on the board. They feel they are being fair and that is why they added more signage in an attempt to get the word out. As was mentioned, they have placed ads in the newspaper. It is more about the folks who come from out of town and there is no way of notifying them, other than when they purchase a plot or have a service by giving them information so that they know if they want their stuff back, then maybe they could get a family member who is in town or come back into town to get that stuff. Mr. Parsley said he would imagine, as they phase out keeping everything, that there will be more complaints and possibly more letters where people are upset that their stuff isn't there anymore but they just can't continue to be a storage facility for stuff that has been removed from the gravesites. Mr. Guerrero said their hope is that people will begin to understand and then come to remove it on their own and take the initiative and responsibility.

Commissioner Scharmann made a motion to approve the Consent Agenda as submitted, noting the discussion on Item I. Commissioner Olsen seconded the motion, which carried by unanimous vote.

Mr. Guerrero said he wanted to remind the board that we have one of our most historic events happening this weekend with the ESPN fights at the Fairgrounds. It is not every day that you have ESPN come in to televise an event. He thinks it is pretty neat how the fights are coming together. Chairman Erquiaga said he thinks it is interesting how we are being mentioned on the news so much over these fights.

CONSIDER FUTURE AGENDA ITEMS – None.

COMMISSIONER REPORTS:

CHAIRMAN ERQUIAGA: Chairman Erquiaga said, on the 16th, he went to Carson for a Carson Water Subconservancy District meeting.

On the 21st, he participated in the Museum Board meeting. Bob Getto is making a real effort to get everybody together on that board and get things moving in the right direction.

On the 22nd, the biweekly staff meeting was held with administrative staff of the county. On the 23rd, the Employee Management Committee BBQ was held out back. He was able to flip some burgers and it was a lot of fun. He enjoyed seeing all of the employees who participated. He thinks they had pretty good participation.

On the 25th, he met with Peter Ronza of Pontifex for a little while where they discussed the ongoing wage and compensation study.

He was on a conference call with Senator Heller's staff on the 28th regarding the proposed sage grouse/wilderness/economic development bill. Eleanor Lockwood, Greg Tanner, and Terri Pereira were also on that call. Their staff is trying to keep us informed and trying to be sensitive to our concerns. They seem to feel that the bill will advance, although he is not sure how soon that will occur. It was a worthwhile conversation.

On a personal note, on the 27th through the 30th, he went to Disneyland with his family. He actually took that phone call in front of a California adventure. He had a great time with the grandkids.

On the 1st, he went archery antelope hunting and got his antelope.

COMMISSIONER OLSEN: Vice-Chairman Olsen said, on the 18th, there was a discussion on the Reid/Heller bill with NACO. His takeaway from that discussion was that there really had been nothing that the rural areas had put forward that had been taken into account, although they crafted the bill to buy off Washoe County and the Washoe County Commissioners had passed approval of the bill. The bill has portions of it, as he understands it, where Washoe County will get lands given to them that are adjacent to the community. It is a little upsetting that they could be bought off so easily. He knows they are pushing forward to try to get this thing done but he doesn't see how it is going to help the rural areas or the bird. It is just a wilderness grab. One of the things that came out of the discussions there was that every area that they are proposing as wilderness has already been reviewed by the BLM or Forest Service and has been previously rejected as not suitable for wilderness and, yet, they go forward. It is a very frustrating process to see it continue on. Commissioner Scharmann said it is not all habitat for the bird, either, is it? Commissioner Olsen said a good deal of this is goodies to get people bought off so that they will go for it. Chairman Erquiaga added that, in Churchill County, what they will be proposing are two wilderness areas, one in the Job's Peak area in the Stillwater Mountains and one in the Desatoya Range. There is no question that there is occupied sage grouse habitat in the Desatoya Range. There are some pretty extensive leks but that is not the case in the Stillwater Mountains.

If there were ever any birds there, it has been 100 years ago. Hammy Kent is gone and he would be the only one who would remember ever seeing a sage grouse there. That was brought to their attention and Greg Tanner suggested that we ask them to provide documentation showing that it will benefit the bird, which, of course, they cannot do. The hope was that they would then go to the Department of Wildlife and they would not be able to provide that either. They basically just blew us off on that aspect. Commissioner Olsen said it is frustrating to not be listened to. All of the recommendations of coming up with some alternative designation where it could be temporary and allow access in order to improve the habitat and do all of those things, for something other than wilderness because that is the worst thing you could do for the bird, have been met with deaf ears. It is a total blow off to the rural areas.

On the 19th, he attended the Farm Bureau picnic at Norm and Sue Frey's, which was well attended. There must have been 150 people or more.

The next morning, he and Tami took a vacation for two weeks. They used their airplane and flew from here to Wisconsin and back. It was a heck of an adventure. They want to do it again someday.

He wanted to point out, since he assumes the Commissioners got the same information that Eleanor did about the U.S. Fish and Wildlife Service and the Senators' bills, that the Forest Service had a finding that they do not have to listen to private property owners' concerns and that they only have to take into account any of their findings of other federal agency concerns. They put a bill in to say that they must take into account private property owners' concerns, as that should be tantamount and superior to federal agency concerns. It is an insane world we are living in right now. Private property is the foundation of our democracy and the fact that a person has confidence that what they own is theirs and they can use it without the government taking it away from them.

Finally, a wonderful thing happened to his family. He had a new grandson born two days ago. His name is Wiley Clinton Neal, who was born to his daughter, Holly, and her husband, Chris, at Saint Mary's Hospital. Chairman Erquiaga said he had heard that and his wife asked him if he knew the baby's name. Commissioner Olsen said it an old family name on their side of the family. He was 8 pounds, 2 ounces, and was 21 inches long. He is big and healthy.

COMMISSIONER SCHARMANN: Commissioner Scharmman said, on July 23rd, he attended the Fallon Youth Club Board of Directors meeting, dealing mostly with fundraising. August and September is a big fundraising period for them. The big fundraising dinner is coming up on September 20th, if his memory serves him correctly.

On July 24th, he attended the Hospital Board meeting, which is probably John D'Angelo's last meeting. That went well.

He attended the Nevada Division of Water Resources meeting in Lovelock on the 28th. That was a very interesting meeting. He is probably the one Commissioner who knows the least about the water issues. He is just trying to get more information and he knows that we are not touched by the Humboldt River but he thinks that their concerns are very similar to ours, being at the end of the river. First of all, it was not only a well managed meeting by the administrators but the people in Lovelock are, in many cases, outraged with the upriver use and lack of water and so on. They were just so polite, professional, courteous to these folks, and they wanted to make sure that people knew that they have major concerns that are affecting their livelihood but they were not going to act like savages out here. He thinks the meeting was handled very, very well. There were a lot of people.

On July 30th, he attended a meeting with Frank Woodliff and some of the folks who are on the Senior Center Coalition Board of Directors and they looked at a tentative plan for a new Senior Center. They are planning to come before the Commissioners and City Council to look at this plan and to talk about some things that Social Services Director Ernst talked about today, which is the CDBG grants for Fiscal Year 2016. Hopefully, the City of Fallon and Churchill County will be able to come together with that. This board will hear that presentation probably in October. They want to make sure that this board and the City Council are up to speed and know exactly what they are trying to do.

On August 1st, he got in the first little plane he has been in for about 30 years, which was flown by Bill Slentz over the valley with Senator Mo Denis and Eleanor Lockwood. That was a great experience. He had a chance to meet Senator Denis and talk to him about some of the issues. Comptroller Kalt was handling and dealing with the folks on the ground, as far as answering questions, making presentations, and showing them around town. After the flight, which was short, they met in Bill's hangar and sat down to talk about some of the issues for rural Nevada. He focused his discussion on the educational issues that school districts and community colleges are going through. Comptroller Kalt focused more on the economic development and budget issues that we are dealing with. He thought it was really a good meeting and he enjoyed visiting with Senator Denis and his wife.

On August 5th, he met with President Chet Burton of Western Nevada College and his Vice-President of Academic Affairs, Bob Wynegar. Bob Clifford, as Chairman of the Restore Our College Campus Committee (ROCCC) was also invited to lunch to meet with them. They talked about the Fallon Campus and their efforts to try to re-energize Western Nevada College with their jump start program of a high school and the use of the annex building here at the county administrative complex. They are hoping to continue to use that annex for the nursing assistant program and the EMS program, with the thoughts of trying to reinstitute a full-fledged Associate's Degree nursing program in the near future. He told them that he would talk to the county about supporting the use of that annex but he really wanted them to work with the county, city, and Banner Churchill Community Hospital over this next year to make a determination on whether or not bringing the nursing program back to Fallon is feasible and to see if we can get this done and not just talk about it over a period of 5 years or something. He asked them to put a timeline on this study over the next year and, if it is feasible, to announce it to students in the fall of 2015 so that they can start getting the prerequisites and preparing so that we can initiate the restart of the nursing program by the fall of 2016. They thought that that was a pretty good plan, so that is what we are hoping can happen.

He also submitted his request to be placed on the National Association of Counties (NACo) education and human services national steering committee, as there is nobody from Nevada on that board. He talked to Eleanor Lockwood about that a little bit and said he would be interested, so we will see if anything comes of that. He is headed to Mt. Rushmore this afternoon.

Chairman Erquiaga asked, with regard to the Banner CEO, was that just a corporate turn and John is not leaving Banner? Commissioner Scharmann said John is moving to another hospital in the Banner Health organization and this gentleman is being brought into the Banner organization but has not been working for Banner. He thinks they have been really pleased with D'Angelo's work and he is sorry to see him go. He hasn't met the new CEO yet.

COUNTY MANAGER LOCKWOOD: County Manager Lockwood was absent but provided a written report.

CLERK/TREASURER HELTON: Clerk/Treasurer Helton was not present but Deputy Clerk Moore reminded the board that the first installment of taxes are due August 18th.

On a personal note, she had a great week, as well, because her daughter, Kelsey, had a daughter, Brynnlee Jayde Moore, on the 4th. She was only 6 pounds, 8.5 ounces, and 18.5 inches long, so she can't wait to get her and Wiley together and see what they look like. The next day was when her nephew, Chris Neal, and his wife, Holly, had their son, Wiley. It has been a fun week for the family.

CIVIL DEPUTY DISTRICT ATTORNEY SHAWCROFT: Civil Deputy District Attorney Shawcroft had no report.

COMPTROLLER KALT: Comptroller Kalt provided a written report, which included a financial update for Fiscal Year 2014 as of August 5, 2014. The interim work for the audit went well. The revenue from sales tax is up, in spite of taxable sales being down 34.8% but, as the board knows, with the tax abatements provided for the two economic development projects, that is somewhat misleading information.

He reported that Kari Maffi, from his staff, accepted a job with Fallon Auto Mall. She will be working with Sean Richardson, who was also part of his staff, so we have become the training ground for the accounting staff at the Fallon Auto Mall. He wished Kari all the best in her new job and tomorrow will be her last day. He invited the board to stop by and wish her well today, if possible. She will be missed and the position will be gapped per policy and then they will proceed with recruitment.

PUBLIC COMMENTS

Chairman Erquiaga inquired if there were any public comments on issues that were not listed on the Agenda but there were none.

CLAIMS AND PAYROLL TRANSMITTALS

The claims and payroll transmittals submitted for this meeting were reviewed and approved.

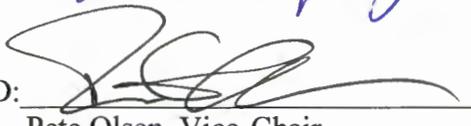
ADJOURNMENT

There being no further business to come before the board, the meeting was adjourned at 10:46 a.m.

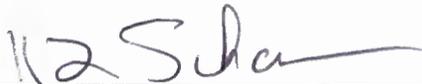
APPROVED: _____


Carl Erquiaga, Chairman

APPROVED: _____

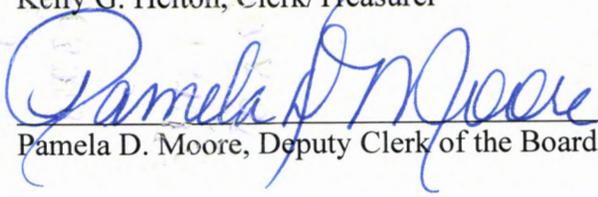

Pete Olsen, Vice-Chair

APPROVED: _____


Harry Scharmann, Commissioner

ATTEST:

Kelly G. Helton, Clerk/Treasurer



Pamela D. Moore, Deputy Clerk of the Board