

MINUTES OF THE CHURCHILL COUNTY BOARD OF COUNTY COMMISSIONERS

155 No. Taylor Street, Suite 145
Fallon, Nevada
16 April 2008

CALL TO ORDER

The regular meeting of the Churchill County Board of Commissioners was called to order at 1:15 p.m. on the above date by Chairperson Washburn.

PRESENT: Gwen Washburn, Chairperson
Lynn Pearce, Commissioner
Norm Frey, Commissioner
Rusty Jardine, Deputy District Attorney
Brad Goetsch, County Manager
Alan Kalt, Comptroller
Kelly G. Helton, Clerk of the Board
Pamela D. Moore, Commission Secretary

ABSENT:

Pledge of Allegiance

It was verified that the agenda for this meeting was posted in accordance with NRS 241.

ACTION ITEMS

AGENDA

Chairperson Washburn reported that the appointment for the Lahontan Valley Environmental Alliance has been withdrawn because the Executive Director had a funeral to attend so that item will be rescheduled at a later date.

Commissioner Frey made a motion to approve the Agenda as revised.

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

MINUTES

Commissioner Pearce made a motion to approve the Minutes of the regular meeting of April 3, 2008 as submitted. Commissioner Frey seconded the motion, which carried by unanimous vote.

PUBLIC COMMENTS

Chairperson Washburn inquired if there were any public comments on issues that were not listed on the agenda. There were none.

APPOINTMENTS

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

Consideration and possible action re: Development of a Criminal Justice Master Plan, David M. Bennett.

David M. Bennett said he is a Criminal Justice Consultant from Park City, Utah. He showed a Power Point presentation on the development of a master plan for Churchill County that he is working on. He said that there is no correlation between crime rates and incarceration rates. He has clients throughout the United States, some of which have high crime rates that have high incarceration rates and others with high crime rates with low incarceration rates. He has experienced, however, that if you build the facility, the number of jail beds available will get

filled. That puts the Board in a difficult situation of determining just how many beds are necessary to do the business of the criminal justice system and to make sure that it is adequate to not have overcrowding so that when a person needs to be detained that a bed is available or the bed for the sentencing judge who has tried other programs which haven't worked and it is time for the defendant to be incarcerated. The criminal justice system has to have that one empty jail bed in order to maintain the integrity of the system and the process. That is our test; that is our goal; and that is what we are working towards.

Jails are largely driven by policies which reflect the system's paradigms. Data is the key to managing a jail population but ultimately it is the paradigms that shape the use of the jail. Prior to this meeting, they had their second meeting of a newly convened criminal justice council and Chairperson Washburn was at that meeting. She was able to observe the conversation as we took a look at jail data, who it is that is in our jail, a breakdown of our population, pre-trial, post-trial, misdemeanor, felony, having the District Court Judge, representative of Justice Court, and law enforcement in attendance. They were able to have a discussion about the policies and practices—the paradigms—that govern the use of the jail. This is critical as we go through the planning process because any new jail beds that might be recommended are several years away and we need to make sure Churchill County can continue doing business until those beds come on line but very critical as we look at just what we are going to build. Who is it that is going to be incarcerated in the Churchill County jail in the future; what are those paradigms? We are in the process of documenting that information.

The approach to jail population management is a systems approach, is data driven, requires ongoing policy analysis, jail alternatives, and is not a one time effort. Data collection is critical to have good data and it doesn't currently exist in a routine fashion. This data collection includes: trend data, jail snapshot data, case processing sample data, alternative program assessment, and jail capacity forecasts. Trend data looks at the number of admissions into the Churchill County Jail, which in 2002 was 1,526 and in 2007 it was 1,692, which is up by 11%. The next part of the equation when looking at jail population is how long did each individual stay in jail? In 2002 the average length of stay was 11.7 days but has now dropped down to 10.1 days, which is down 4%. While it is not a significant period of time, when we are taking a look at this occurring over a 6 year period and we are looking at over a day and a half difference for 1,700 bookings into the County jail, it is significant, resulting in an average daily population last year of 47, which is down by 4%. In 2002 and 2006 it was high at 49, low at 44 in 2003 and 2004, and last year an average of 47. It is a fluctuating jail population but in a pretty narrow range. During this period of time, County population has grown and is up 9% to 27,190 last year. When we look at admissions rates, we see that while the overall admissions has increased, as a rate per 10,000 population, it is actually down (622 persons per 10,000 population were booked into the County Jail). It is up over 2% since 2002 but we see the impact of the County population increase over this period. Incarceration rates are down 15% (20 per 10,000 population in 2002, 17 in 2007). In Churchill County we do not have data back for the other data points but we will in the future. We can see what happens in the United States. In 1998, the incarceration rate in the U.S. was 14.1 per 10,000 population. By 2005, that had grown to 25.2. For the State of Nevada, the incarceration rate was 21.8 in 1998, which grew to 29.4 in 2005, compared with Churchill County at 18 per 10,000 population. There is no question that Nevada's incarceration rate is largely driven by Clark County and, to a lesser extent, Washoe County. Nevertheless, when we look at the State as a whole, Churchill County's incarceration rate is 1/3 less than the rest of the State at 18 per 10,000 population. We look at our first

snapshot of our jail population where we broke it down into categories: pre-trial, post-trial, hold, misdemeanor, felony, charge categories, time in custody, and the available demographic information. We put this methodology in place to do a snapshot and it will be conducted on a regular basis and will be compared regularly to differences and changes in the jail population. For case processing data, we are tracking a sample of defendants through the system by taking a look at the following issues: decision making, difference of the original charge and the ultimate conviction charge, process times and ways to possibly make the system more efficient, the release mechanisms and corresponding failure to appear re-arrest rates. Overall, we will examine the policies and practices of arrest and booking: the pre-trial release decision making process versus detention, charging practices, use of diversion programs, sentencing, and sanction and revocation for the people that aren't successful in completing the terms and conditions ordered by the Court. They had a pretty good discussion after Chairperson Washburn left on the issue of this sanction and revocation process and the procedures used. Our goal is that we want clients to be successful and we want a successful outcome. We don't want to have bench warrants issued nor have individuals fail at adhering to the conditions set by the Court. We want to be involved in bringing about changes in behavior so that we have an efficient and effective system. Ultimately all of this information will come together to develop a jail capacity forecast. To do the forecast, he will use a workbook that he wrote for the Department of Justice 20 years ago and recently revised it and it is at the editor's now for a soon release. It uses 5 factors to forecast the county's future jail population forecast: admissions rates, average length of stay, the demographer's forecast of county population, peaking factor, and a classification factor. He will ultimately be able to present back to Churchill County a series of forecasts that will be based upon the recommendations from all of the data for the Board's review. They are planning a full day symposium tentatively set for July 9th. They will invite all entities: Commission, Sheriff, Chief of Police, law enforcement, District Attorney and all of the deputies, Public Defender and the private defense bar, Department of Corrections, and Parole and Probation. They will be asked to spend the day looking at the symposium, review of the policies and practices, the baseline data collected, the overall needs forecast, and the alternative scenarios.

County Manager Goetsch said that we will agenzized that and work with him and the Sheriff's Office to get all of the invitations out. The media, of course, we want to be part of that symposium as well. He thinks he mentioned that we want the community to see what is going on and to see that this effort is taking place and to participate in the process.

Chairperson Washburn commented that the data they saw today raised some very interesting questions and discussions. It will be an interesting process to go through so that we can get this right we hope.

Commissioner Frey said it will be interesting to see how they predict what the inmate populations will be in the future, which is always a crap shoot. If we outlawed dust and dirt we'd put a lot of people in jail. Mr. Bennett said the development of the forecast is not an exact science and the reason why he uses this process is because ultimately the number of people in jail is a result of the policies and practices of our criminal justice system. That is why we add the judges, District Attorney and Parole & Probation to the process but it is a roll of the dice. The forecasts that were done when the jail was built in the 1970s, if any were done, would have been wrong because who ever heard of mandatory sentencing for drunk driving or domestic violence back in the 1970s? We didn't even have crack cocaine or methamphetamine back then. We didn't know all these things back in the 1970s when this jail was built or that all of these changes would occur that would impact our jail population today. We don't have a crystal ball to tell us

what things will be like in 20 or 30 years but we do have historical data and we will have an understanding of how our criminal justice system is functioning and we have all of the parties at the table working together. From that, together we will plan for the future. Different from when this jail facility was built, any facility that is built will be planned for expansion so that if it becomes necessary at some point to add on, the ability to do so will be there. Chairperson Washburn thanked him for the update.

Consideration and possible action re: Approval for the purchase of a new telephone soft switch for CC Communications, Robert Adams, General Manager of CC Communications.

Robert Adams reported that in order to keep CC Communications providing state of the art services for our customers, it is time to install a new soft switch. CC Communications management has explored the market to determine the best switch available for our needs. The due diligence process has taken over six months to complete and three vendors were examined in depth. The breakdown of the vendor list is Alcatel Lucent, Meta Switch and Taqua. Based on demonstrations from the various vendors, conversations with other companies who have these switches, and price, it is management's recommendation to purchase the switch from Taqua LLC. Their switch is robust and will allow CC Communications to provide excellent service and advanced products for the foreseeable future. Due to the size of the new switch the operating costs will be reduced significantly and the cost of the switch can be added to the rate base which increases our USF receipts. The price quoted allows for installation, training, and is fully equipped for our needs. The budget estimate for this project is \$360,000.00 (scope of the project increased significantly from the time the budget was created). They do have the funds to absorb the additional costs. It was necessary to bring this before the Board at this time because Taqua will give a \$25,000 discount if it is completed this month.

Commissioner Frey said he wondered why there is such a discrepancy in ranges between Alcatel and Taqua. It seems that if you are getting the same piece of equipment that it would be more comparable. Mr. Adams replied that it appears that Alcatel Lucent only knows one number. Taqua is cheaper because they have reorganized and they are very hungry for our business. Their architecture is somewhat different. John Powell said that the Alcatel Lucent switch that they are proposing is a one size fits all. If our company was AT&T, we would probably buy it because it has the capacity for 50 or 60 times what we will ever need here. Unfortunately it doesn't scale down nor scale down in price, so that limited them in the way that they could approach meeting the criteria that we had laid out for them. Each of these companies got a model to work from that was projected out across 5 years as to what the telephone company business would be like here in the County and each of their responses were tweaked and revisited until we got some of their sales approaches out of it and actually got to the reality of what it would cost to put the whole thing together and those are figures are shown. Commissioner Frey asked if they have had an opportunity to talk to other companies that have used their switch and do they have a good reputation. Mr. Powell replied in the affirmative and said in this particular venue of the next generation of switching, there are war stories but they are minor in nature. Everyone they have talked to for each of these 3 switch vendors were very happy with what they had and they found no sour grapes anywhere. Commissioner Frey asked if the switch has to interface with our billing system and such. Mr. Powell said it does and it is so much simpler in the way it operates these days compared to 20-25 years ago when this switch being replaced was purchased. All of those interfaces are there. As part of the model they put in front of them, they took all our different facility arrangements and our new IP network capabilities that will interact

with the switch extremely well because it is built on those principals and is an IP based type technology.

Commissioner Pearce said he knows that the \$516,000 is an enormous amount but it is peanuts compared to what that dinosaur lucent 5E cost when we bought it at \$5-8M or something like that. When he is told that we can have a switch that is a fraction of size that costs a 1/10 or less of what is being replaced and it will do more, he is very impressed. Mr. Adams said some of the new services we will have is caller ID on your TV screen, which is something people want. It has a voicemail platform built into it so we can do away with the voicemail platform. It is based on the IP technology, which is the future and it is time for us to have a new switch. The old one is fully depreciated, we are getting no USF, and it costs us \$1M or more to keep it working each year. Commissioner Frey said it is amazing the technological advancements of the 1950s that are still in place. Some people went down to the Nuclear Power Plant tour and it is all 1950s and 1960s technology that is operating this very technical facility and you see aircraft that were designed in the 1950s that are still flying and yet here we are at CC Communications creating rooms that are empty because technology advances so much. Mr. Powell said it amazes him that the 5E was a technological breakthrough that is still an awesome piece of machinery but it is a Model A Ford compared to what we are looking at and where the technology has gone in the telecommunications industry especially. It is awesome to compare the 2 and see what can happen and how much size and power you save – the costs all come down. Chairperson Washburn said there are certainly advances and in order to keep up we have to do this. Commissioner Frey said the reason he asked the questions on the billing is because he knows we had problems getting the billing platform up and running correctly so he hopes we don't have that problem with this. Mr. Powell said the good news is that all 3 of these switches have Mr. Travis' blessing and he understands exactly how to communicate with them on the billing side. Commissioner Frey said he noted on that bid that the discount was only good through March 28. Mr. Adams said they extended it through April because we told them that our meeting couldn't be had until this date.

Commissioner Pearce made a motion to approve the purchase of a telephone soft switch for CC Communications from Taqua LLC in the amount of \$516,135.00. Commissioner Frey seconded the motion, which carried by unanimous vote.

Consideration and possible action re: Transfer of funds from the Library Building Fund to the Churchill County Library Foundation, Dottie Brown, Chair of the Library and Library Foundation Boards.

Zip Upham said that he is filling in for Mrs. Brown as she is ill. He reported that the Library Board of Trustees discussed whether to transfer all the funds in the building fund to the Foundation. The board felt it would be good to keep some money in the library gift fund as seed money. A motion was made and approved to transfer all but \$100,000 from the Building Fund, currently under the management of the Library Gift Fund, into the Library Foundation and to authorize the Chair of the Library Board to approach the County Commissioners on April 16, 2008, for approval of the transfer. Barbara Mathews will put the matter on the agenda for the April 24 meeting for discussion and possible approval that funds obtained from future fundraising activities be transferred to the Foundation. The board also said it would be a good idea to move the wine-tasting event to the Foundation, which would remove the wine-tasting event from some of the regulation and oversight required of activities done through the County.

Chairperson Washburn said her understanding is that the \$100,000 that they want to leave in the gift fund includes the \$80,000 that he just spoke of for the study. Mr. Upham said the \$80,000 will then be done by the Library Foundation. Barbara Mathews said that was not what transpired at the meeting but she thinks that was what the general Library Board and the Foundation members expected at the end – was that the monies transferred to the Foundation would pay for the architectural plans so that the \$100,000 would remain intact in the Library Building Fund. Chairperson Washburn asked how many more studies they anticipate on top of this one. Director Mathews said this will be the last one until they have enough money to build the building. Mr. Upham said the conceptual plans are supposed to take them all the way up to the design of the building just short of the technical drawings or engineering plans. Commissioner Frey said the reasoning behind that is that the funding entities that they would go to in order to seek funds have to see your plans to that stage before grant funding will be awarded so we have to get to that point where we can ask for money. Mr. Upham said most of the fundraising to be done going forward, while we have done a lot of it in house and the majority of the funding in the Library Building Fund has come from the Commission and County funding but the opportunity to raise money in the future is through grants and foundations, most of which are structured to deal with nonprofit organizations instead of a government agency.

Commissioner Pearce asked if we are talking about moving \$260,000 and, of that, \$80,000 would go for these plans. Mr. Upham said that is correct.

Comptroller Kalt asked to provide an overview to the Board. The Board has given \$50,000 in 2004, \$30,000 in 2006, \$100,000 in 2006, and in 2007 we gave \$30,000, which makes a combined total of \$210,000 into the Library Gift Fund. As mentioned by Mr. Upham, in December the County transferred \$25,000 to the nonprofit to kick start the program. In general terms, if you say they have raised \$400,000, then \$210,000 has been in-kind contributions from the County. His recollection from when the Board passed the \$25,000, was to provide them resources and it gave our Board the opportunity to always do a status check to concur with how they spent the funds then they could continue to come back for other funds. As has been stated in previous years when we've made donations to the Library Gift Fund, the ultimate goal is to achieve brick and mortar. Obviously, in addition to this, the Board purchased 2 parcels of land for that expansion. His understanding is that when the money goes over to the nonprofit it is no longer public funds. They can put it in investments that local governments cannot do, so there is some additional potential to leverage that money. If you were to move a big bulk of money to that fund, he would ask that the Board ask to see a copy of their investment plan and their budget to protect the integrity of the money given to that group. What the Arts Council has done and they suggested to the Board is that if they need matching funds to show community support and community match, they have been invited to come back before the Board for consideration of additional monies. That is something that the Board may want to consider here so that all of the private monies that have been raised be moved to the nonprofit but perhaps keep a little more than the \$100,000 of the public money here to make sure that the project is moving forward in a direction that the Board feels comfortable with. Our Clerk/Treasurer has these monies invested in securities that are approved by state law and they do earn interest on a monthly basis. Those are just his words of caution and he is not suggesting that they would not be great stewards because, ultimately, they will be able to leverage this money on grants, hopefully at 50 or 80%. That is ultimately how we will get this building done. He appreciates Chairperson Washburn's comments and concerns if we continue to do studies, at

the end of the day, what do we have? What if we have spent a half a million dollars and we have no building built?

Civil Deputy District Attorney Jardine added in connection with what Comptroller Kalt has represented, which is an appropriate thing to consider, is to think about the controls and checks we impose upon our stewardship of public monies. He simply reminds the Board that the Foundation itself is practically speaking the alter ego of the Library Board and consists of the same people. It gets a little bit personal because he sits on the Board as well. It doesn't dissolve or do away with Comptroller Kalt's concern. It is always important to have those kind of checks. The only lawful purpose that can be made of any monies had in the care and keeping of the Foundation is to provide bricks and mortar – have a building. That is all it can do under the law. That is a pretty rigid constraint upon the use of those funds. If we step beyond that, it becomes an illegal act beyond the scope of our authority to do that kind of thing. There is inherently, as part of the structure of the Foundation, a very solid and rigid control associated with such funds.

Chairperson Washburn asked if the Foundation has the ability to invest for a return on the money that is not being used at this point the same as the County can do with their funds. Maybe it would behoove the Foundation to ask for money as they need it and keep it invested by the County. Director Mathews said her understanding is that the money is invested through First Independent Bank in a money market account so it does accumulate interest. As for other investments, the Foundation hasn't talked about anything like that. Comptroller Kalt said he is not sure what rate of return they are getting but our Clerk/Treasurer is buying investments from the local government investment pool in specific securities typically running 150 to 250 base points higher than what a financial institution would get. Perhaps we could do a line of credit that allowed them to draw down as needed so that each time they don't have to come before the Board within that line of credit. That may be an option to explore. Commissioner Pearce said by playing devil's advocate, if the nonprofit was constrained in such a way as to not be able to do anything beyond the scope of bricks and mortar, who oversees that and what are the checks and balances? We are audited here so he would assume that would be something that an auditor would determine. Without being audited annually, there wouldn't be the checks and balances there. He likes Comptroller Kalt's idea if we can do that. We have the potential to get a better return on the investment in a safer manner and if there is a way to put together a line of credit for them to draw down from that, he might feel a little more comfortable with that. Director Mathews asked Comptroller Kalt to explain what he means by a line of credit. He replied that if the Board approved a transfer up to \$250,000 as an example. Then when the bills comes in from the architect of say \$20,000 in 4 different bills, they would come to the County to draw down the funds to pay that bill by the end of the month and it would come out of that Library Gift Fund, which would lower the balance. Obviously, they would then not get the interest earnings on that \$20,000. Let's say the next month they get another bill for \$20,000, the County would transfer that sum to them but they would not have to come before the Board to do so up to that figure that the Board has authorized but the rest of the money would remain invested. Mr. Upham said the one concern he would raise for the Commission on that type of structure is if the Foundation is trying to do the fundraising and is pursuing 50 or 80% matching funds, with that kind of structure with various foundations and grant sources he is not sure that we confuse the issue if the matching funds that we are comparing are not within the Foundation but are within the County's fiduciary structure and yet the grant proposal is dealing directly with the Foundation. If that is the case, then the Foundation doesn't actually have any funding for

matching funds and he is not sure whether that will create issues when they pursue those fundraising opportunities. Chairperson Washburn said she sees that as being the same as a revolving type of loan or line of credit from a bank that you would use as an asset just as if you had borrowed it from a bank or that it is there. Mr. Upham replied that they should be able to then leverage the money in the building fund straight away. Chairperson Washburn said she thinks so and thinks it is the same as a dollar amount in a bank account. Director Mathews said whether it is under the County's control or the Foundation's control, you would see that as a (interrupted). Chairperson Washburn said it is really under the Foundation's control because it is authorized that the Foundation can draw up to a certain fixed amount. Civil Deputy District Attorney Jardine agreed with that analysis and thinks that is something where they can say that that asset lives and is within the control of the Foundation, subject to that control.

Comptroller Kalt said the library gift and donation fund is a special revenue fund with a specified purpose to support the library gift and donation building fund. Obviously we would not use it to raid for general operations so we are consistent and on the same page. We are very supportive of the efforts to move forward with the expansion. Mr. Upham said if the County is willing to consider the line of credit arrangement, is there any requirement then to put a threshold beyond what is the entirety of the building fund as available because, again, it is going to require presentation before the Commission for any of that money to move to the Foundation. Director Mathews said they also wanted to move the wine tasting over to the Foundation, which was a concern because they were making expenditures that may have made the auditors or our Comptroller nervous. That way the Foundation would pay for everything, which was one of the other reasons to transfer that money. Commissioner Frey said those would become Foundation events instead of Library events. He said he could see where it would be beneficial to have the investment strategies that the County has. He asked Comptroller Kalt if there would be a problem if they had \$350,000 of the money committed so that when they go to their funding sources for building funds, they could say they have the commitment of \$350,000 from the County at this point in time. Comptroller Kalt said he agrees with what Mr. Upham said that basically it is all available for that specified purpose. By designating a dollar amount, you are giving them authorization that they can move forward with that dollar amount. When it comes to major grants and that type of thing, he would submit that perhaps they would want to come back before this Board and let the Board have an opportunity to use some geothermal money to even increase an amount above and beyond what is currently in that fund. If it is a 50/50 or 80/20 match, they may be able to do more than what is currently in that fund. Commissioner Frey explained that we do have a separate fund for matching for grants so that we can take advantage of grant funding when it comes from whatever source.

Commissioner Frey made a motion to establish a revolving line from the Library Fund to the Library Foundation to draw upon all of the funds available today in the current Library Gift Fund from donations relative to the Building Fund but restrict future funds. Furthermore, requiring that they come forth from time to time with a progress report when benchmarks are reached or when significant amounts are drawn down, but not less than annually. Commissioner Pearce seconded the motion, which carried by unanimous vote.

Director Mathews said to make it clear for herself, would she just submit that on a regular invoice? Comptroller Kalt said he would anticipate that and he would suggest that they draw down in chunks, something like \$25,000 like they already have. We don't want them to ask for a

\$150 check for a legal ad or something. Director Mathews said she understood. Commissioner Pearce asked if there is more than one Library Fund. Comptroller Kalt said it is called the Library Gift Fund, which is fund 320, and included in that fund is the restricted donations relative to the Library Building Fund. There are monies that were placed in the fund for things such as the Teddy Bear Tea, grants, and memorials. We are not talking about that money but are only talking about the money designated as the building fund portion of the Library Gift Fund. Commissioner Frey said that was the intent of his motion. Commissioner Frey suggested making those annual progress reports but Commissioner Pearce said he thinks he would like to see reports when benchmarks are reached or when large amounts are drawn, such as \$100,000. He doesn't want to set a specific number but thinks they get the idea of the intent so that when it is a significant chunk of money, the Board would like to at least be advised. Commissioner Frey said he would like, at a minimum, an annual progress report. Chairperson Washburn and Commissioner Pearce agreed to annual reports or more often as needed. Director Mathews said the Library received the money from the Gates Foundation and she has already placed the order for the six laptops. Next year they should receive approximately another \$5,000 so they should be able to get 4 more laptops next year, which she is thrilled with.

Consideration and possible action re: A Proclamation Designating April 2008 as Child Abuse Prevention Month and Adoption of such Proclamation, Paula Achurra and Karen Stoll, Nevada Division of Child and Family Services.

Paula Achurra, Social Services Manager for the Division of Child and Family Services, asked to present a Proclamation Declaring April 2008 as Child Abuse Prevention Month in Churchill County, Nevada. Preventing child abuse and neglect is a community concern that depends on the vigilance of all citizens in Churchill County. Physical, emotional and monetary affects are felt by communities at large and need to be addressed by not only the families involved but by everyone. Effective child abuse prevention programs succeed because of partnerships created between public health and social service agencies, schools, religious and civic organizations, law enforcement agencies and the business community. All citizens should become more aware of the negative effects of child abuse and its prevention within our communities and become involved in supporting parents to raise their children in a safe, nurturing environment. Churchill County encourages all citizens to increase their participation in efforts to prevent child abuse and thereby strengthening the community in which we live. On April 24th at 10:00 a.m. 325 Pinwheels for Prevention will be placed in front of the Courthouse representing the number of complaints filed in Churchill County in the last year.

Chairperson Washburn said this is a real problem and awareness is very important to the community as a whole. So often we see something and overlook it or don't realize what it is when we see it. Commissioner Pearce agreed. Commissioner Frey said this is definitely an area in our community that needs our attention and anything we can offer to prevent child abuse is good. Ms. Achurra said they would appreciate it and invited the Board to attend the ceremony on the 24th at 10:00 a.m.

Commissioner Pearce made a motion to adopt the Proclamation Declaring April 2008 as Child Abuse Prevention Month in Churchill County, Nevada.

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

Consideration and possible action re: Approval for the Chief Juvenile Probation Officer to apply for Formula Grant funds through the Nevada Juvenile Justice Commission to support of the Surveillance Officer program, De Vere Karlson, Chief Juvenile Probation Officer.

Chief Juvenile Probation Officer De Vere Karlson reported that the Formula Grant is offered through the Nevada Juvenile Justice Commission and is used to fund prevention-type programming. The Department is seeking funds to pay the salary and benefits of a part-time Surveillance Officer who will conduct random and frequent home visits on probation youth who are considered to be high risk youth. Total grant funds requested is \$5,000.00. There is no fiscal impact required for this grant as no in-kinds funds are required.

Commissioner Frey made a motion for the Chief Juvenile Probation Officer to apply for Formula Grant funds through the Nevada Juvenile Justice Commission to support of the Surveillance Officer program. Commissioner Pearce seconded the motion, which carried by unanimous vote.

Consideration and possible action re: Approval for the Chief Juvenile Probation Officer to apply for the Juvenile Accountability Block Grant in the amount of \$12,112.00, De Vere Karlson, Chief Juvenile Probation Officer.

Chief Juvenile Probation Officer Karlson reported that the Churchill County Juvenile Probation Department requests permission to apply for the Juvenile Accountability Block Grant in support of contracting with the Boys Council to conduct a two day Boys Council Facilitator Training that will provide participants with the knowledge and expertise to competently and confidently implement Boys Council programming effectively. This training will be available for up to 50 participants from the following counties: Carson City, Humboldt, Lander, Pershing, Lincoln, Eureka, White Pine, Esmeralda, Nye, Mineral, Churchill, Lyon, Elko and Douglas (1st, 3rd, 4th, 5th, 6th, 7th and 9th judicial districts). A ten percent match is required for this grant, which would amount to \$1,345.00. Each of the participating judicial districts involved will be required to purchase their own materials that will cost \$330.00 each. This would amount to \$2,310.00, which more than meets the ten percent match. Churchill County does not have to pay because as part of the study we got ours for free. The funds will allow each county to implement the Boys Council Program which is designed to reduce delinquent behavior among boys from ages 8 to 17.

Commissioner Pearce made a motion for the Chief Juvenile Probation Officer to apply for the Juvenile Accountability Block Grant in the amount of \$12,112.00. Commissioner Frey seconded the motion, which carried by unanimous vote.

Comptroller Kalt asked to give a brief update while De Vere is present. She has been working with the Sheriff's Office in High Desert to get a video surveillance system that will improve the safety of the officers and the youth and improve the efficiency and effectiveness of monitoring the youth in their office. We will pay for that through risk management. He is very pleased with how De Vere has taken that project on herself to get us where we need to be. Commissioner Frey asked if the kids care if they are being video taped, especially in the age of kids beating other kids up and uploading it to the internet. De Vere replied that they will not have access to the video tapes but this will assist them with monitoring the youth, especially those who are in the detention area and in each of the officer's offices. They are getting more and more busy and this will provide the opportunity to have a visual on the youth at all times of the kids they are concerned about and will include a camera in the classroom. If there is an incident, they will have a record of it and it will provide protection of staff and youth to have that record. It is a smart thing to do and she appreciates Alan's assistance. He replied that he would liken it to the in-car videos that we have in the Sheriff's vehicles. As long as we have it, it will minimize the type of challenges we have sometimes.

Consideration and possible action re: Lahontan Valley Environmental Alliance will present a final 2007/2008 accomplishment report, including a Sand Mountain progress report and other LVEA working group reports, and future goals of the LVEA. LVEA also requests the final payment for the 2007/2008 year in the amount of \$5,250.00 completing the \$30,000.00 contribution.

This matter was withdrawn and will be rescheduled due to a conflict with Erica Behimer's schedule.

Letters Received: None.

Old Business:

Consideration and possible action re: Extension of Property Lease Agreement with the Wild Goose property in Churchill County, Nevada.

Civil Deputy District Attorney Jardine reported that at the present time Churchill County has an agreement with Anthony Enos on the use of County owned property at Wild Goose. On November 8, 2004, the County and Wild Goose Limited Partnership had entered into an agreement for use of such property. Anthony Enos, later succeeded in the interest held by Wild Goose Limited Partnership. On January 1, 2008, Anthony Enos assigned his rights, and obligations under the Lease to Five Star Dairy, Inc., a California corporation, who then accepted such assignment so as to continue use of the property for agricultural purposes. Now, Soaring Eagle Ranches, LLC seeks to secure all rights formerly held by others in an assignment of interest associated with the property. The term of the proposed agreement, which is annexed hereto provides for a period of five (5) years – through December 31, 2009. Retention of the use of the land in agricultural operation for the term of the lease is in the best interests of the County.

County Manager Goetsch said at the last meeting this came up initially with a draft that had been submitted by Soaring Eagle Ranch, Mr. Enos and a cover letter by his lawyer. The Board had some questions and wanted to tighten up the draft lease and tabled it until a following meeting. They were able to work with the lessee and his lawyer and drafted some language that he took from the Board's discussion. He asked to bring the Board's attention to two things on the newly submitted lease that came in today. On the cover letter from the lawyer, the 3rd paragraph is new and wasn't in the prior correspondence and they asked that the County be aware that Soaring Eagle Ranch had already initiated planting of grasses in 2 of the remaining fields. So, the fields that were planted in grass where the water was removed from before under Budge Brown's lease are already in grass. Fields 4 and 7 are still in production of alfalfa and are still under an active pivot but the Soaring Eagle Ranch took the initiative on the County's word that within the next 3 years that would be the next amount of water, approximately 300-500 acre feet, that we would need for development and in anticipation of that they began a 3 year program to germinate grass and to mix it with the alfalfa to sell as horse hay instead of pure dairy hay in following our dust mitigation plan. Then on page 2 under paragraph F(1), there was an addition put in that was not in the prior agreement which is subparagraphs A(1), (2) and (3). That goes directly back to the initial agreement and actually quotes it in i(1) that at his own cost and expense, the lessee will maintain and keep the premises, equipment and personal property and so forth. That is a direct quote that he has to adhere to from the original agreement. Under i(2), if existing appurtenant facilities, mobile homes, outbuildings or equipment, including wheel lines and other irrigation related components which is part of what has built up – the nonfunctional irrigation lines that haven't been used and are piled up in scrap heaps – if they are unserviceable through normal use and are no longer used or usable for their intended purpose, they will be

properly removed and disposed of so there will be no accumulation of trash or equipment or of outbuildings or mobile homes.

Commissioner Frey said in doing that it appears to him that we are granting them the right to collect any monies that they could get from disposal of aluminum lines or things like that. County Manager Goetsch said our original agreement said if the lines are serviceable or could be used again in the future, just like the water has already been pulled off where he talked about the orchard grass being grown in the past but there is still a functional wheel line on that field that they have been instructed that it is County property and that it will stay there because all it needs is the water turned back on and that field could come back into irrigation. Those portions of wheel lines that have been used in maintenance or that have been previously cannibalized or that aren't in functionable condition the original agreement was that it was farm equipment or their tools and usage and they could cannibalize and keep those things that benefitted the farm and those things that didn't want they could either sell off or scrap and remove. The same thing applies to the mobile homes. We went out and looked at the mobiles and believe there is more cost in removing the mobile homes than there could be in any salvage costs and we told them that that is their problem then to either tear down and get a permit to burn or to hire someone to come in and haul them off. The other piece they did in the cover letter was that they had already taken the action to move a family into the front home because he had received a letter from our Code Enforcement Officer and they recognized that there was some vandalism going on because that home was nearest to the highest traffic areas and appeared to be abandoned. They moved a family from one of the back homes to the front and tasked them with maintaining and securing that area and keeping people off of the property. If these conditions meet the conditions the Board wanted to address, then the Soaring Eagle Ranch has agreed that the cleaner language makes it very apparent what their responsibilities are and they are willing to adhere to it.

Civil Deputy District Attorney Jardine directed the Board to page 3 where we have embodied within this extension agreement the terms of the original lease so all of those covenants born by that document still live and are made a part of this agreement. That is important because there were particular covenants relating to certain uses such as proper agricultural practices and the like and the presence of certain chemicals upon our property and we do not want to diminish the value of our property in that regard. They are subject to those and he feels that is an important thing. County Manager Goetsch mentioned our Code Enforcement Officer sending a letter out there and he particularly wishes to thank him for his efforts because he took it upon himself to keep track of this property. We appreciate that because he noticed what occurred there and through his efforts we have been able to achieve doing something about it. He is thrilled to know that there will be someone down there at the front point and that it will be covered and he appreciates that very much.

Chairperson Washburn said this agreement covers what was discussed last time in addition to the terms of the prior lease so she is happy with it.

Commissioner Pearce said he is happy with it as well but he has one question for our Civil Deputy District Attorney. If it was part of the original lease then he is sure it must be covered somewhere. We go to such detail to declare all kinds of a variety of equipment as obsolete and dispose of it. Are we going to get into trouble here by allowing a private entity to dispose of what he believes would be County property since we bought that ranch lock, stock and barrel. It's not that he wants an old mobile home or wants some old wheel lines, he just wants to be sure that we can't be accused of skirting our fiscal responsibility to County property

because it is being disposed of and, perhaps, a private entity profiting from the disposal what is arguably County property. Civil Deputy District Attorney Jardine said that is always a fair question in this realm. Both he and County Manager Goetsch looked at the original sales agreement associated with Wild Goose and he thinks we are being proper stewards and discharging our duties properly in connection with how we have managed to arrange viewing this personal property that in some respects we came into possession of as part of that sales agreement with Mr. Brown. He thinks that we are just fine in that regard having reviewed the covenants born by that agreement.

Commissioner Frey made a motion to approve the execution of the Extension of property Lease Agreement associated with the Wild Goose property in Churchill County. Commissioner Pearce seconded the motion, which carried by unanimous vote.

New Business:

Consideration and possible action re: Issuance of a Commitment to Serve Letter (aka: Will Serve letter) for water services for 50 residential units in the Sage Springs Estates Phase 1 Planned Unit Development.

Planning Director Lockwood reported that the developer for the Sage Springs Planned Unit Development has dedicated sufficient underground water rights to the County (Permit #73003) at a consumption rate of 1.12AFA to satisfy the dedication requirements for Phase 1. The County water and sewer systems have the capacity to serve the lots proposed in this development. The Division of Water resources requires all Will Serve (Commitment to Serve) letters submitted to them be on letterhead with the Chair's signature. The Division of Water Resources looks at whether or not there are appropriate underground water rights or surface water rights that the entity providing service will have in their system to serve. NDEP Bureau of Water Pollution Control specifically looks at whether or not the improvements put in place for the system can actually serve the development from an engineering aspect.

Commissioner Pearce made a motion to approve the issuance of a Commitment to Serve/Will Serve letter for water and sewer services for 50 residential units located in the Sage Springs Estates Phase 1 Planned Unit Development and authorize Chair Washburn to sign the Commitment to Serve letters. Commissioner Frey seconded the motion, which carried by unanimous vote.

Consideration and possible action re: Appointment of an alternate to sit on the board of the Central Nevada Regional Water Authority (CNRWA) when Commissioner Frey and County Manager Goetsch cannot be present.

Commissioner Frey and County Manager Goetsch have been appointed to sit on the board for the Central Nevada Regional Water Authority (CNRWA) but are sometimes unable to attend the meetings. It would be beneficial to appoint Bjorn Selinder as an alternate so that Churchill County can have representation when they are unable to attend the meetings.

County Manager Goetsch said the CNRWA has grown to be quite a large number of participating counties and meetings are held throughout remote sites and they sometimes have difficulty getting a quorum. Both Commissioner Frey and he have been appointed on the Board as voting members so there are 2 voting members from Churchill County. It hasn't been rare for one of them not to be able to be there or just one of them to be there. The thought was that BJ Selinder is someone who is intimately familiar with the water policies and the workings of Churchill County and as our consultant and lobbyist has attended most of those meetings and is

also on the payroll of another county to attend those meetings. The thought was that if either Commissioner Frey or he were not present, BJ normally is present and he could speak and carry out Churchill County's wishes as voiced by the Commission and vote the way that Churchill County would want him to vote. It would also help CNRWA to have a quorum and help Churchill County to be sure that we had strength in our position.

Chairperson Washburn asked if he has agreed to this appointment. County Manager Goetsch replied affirmatively. Commissioner Frey said he asked him on the ride to the last meeting and he was agreeable to it. The irony is that he gets paid to attend those meetings by Eureka County but he is also a consultant for Churchill County so we will see how he handles that with Eureka County.

Commissioner Frey made a motion to appoint Bjorn Selinder to sit as an alternate on the board for the Central Nevada Regional Water Authority. Commissioner Pearce seconded the motion, which carried by unanimous vote.

Consideration and possible action re: Allocation of TDR's for Louie A. and Lila Lou Guazzini.

Civil Deputy District Attorney Jardine reported that an "Agreement for Purchase of Restrictive Use Easement" was made by the County and Mr. and Mrs. Guazzini. As a result of the agreement the Guazzinis received a substantial sum of cash and Eighty (80) TDRs in exchange for a restrictive use-easement being imposed upon the land. This Board authorized the creation of 213 TDRs in connection with the creation of the easement at its December 7, 2006 meeting of the Board. The action did not specify the amount of cash or TDRs to be granted to Mr. and Mrs. Guazzini as provided for in their agreement with the County. The number agreed to was Eighty (80) TDRs. The County intended to retain the remaining TDRs (133) and for consideration given to enable continuation of the program. TDR certificates should be reissued reflecting the proper TDRs for both parties.

Commissioner Pearce made a motion to approve allocation of Eighty (80) Transferrable Development Rights (TDRs) for Louie A. and Lila Lou Guazzini and thereby rescinding the previous grant which was made due to an administrative error of 213 TDRs made to them by certificate dated February 1, 2007, to be rescinded and that a new certificate establishing title to Eighty (80) TDRs be granted to the Guazzinis in accordance with the agreement they signed and a certificate establishing title to One Hundred Thirty Three (133) TDRs be granted to Churchill County. Commissioner Frey 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. The Nevada Division of Environmental Protection (NDEP) has reviewed the Amended Additional Characterization & Pilot Test Work Plan for the former Bootlegger Texaco Station at 16 No. Maine Street in Fallon, Nevada.

- B. Letter from Governor Jim Gibbons certifying the estimated population figures for Nevada, its counties, cities and unincorporated towns pursuant to NRS 360.285.
 - C. The Nevada Department of Agriculture provides its meeting Agenda for the Nevada Organic Advisory Council to be held on April 11, 2008.
 - D. Notice from NDEP re: Review of the Fourth Quarter 2007 Product Recovery Report at the Churchill County School District Bus Barn.
 - E. Cancellation of Underground Injection Control Permit UNEV95208.
 - F. Department of Taxation Quarterly Report regarding County's economic condition for the quarter ending March 31, 2008.
2. **REVIEW –**
- A. Notification from Churchill County Social Services of two (2) indigent medical applications from Renown Medical Center under Client #10699 and #10670. Eligibility will be determined within thirty (30) days of receipt pursuant to Chapter 428 of Nevada Revised Statutes.
 - B. Notification from Churchill County Social Services of the denial of three (3) indigent medical applications under Client #6506, #10629 and #10637, which were denied for no response from client pursuant to NRS Chapter 428.
3. **COMMITTEE AND DEPARTMENTAL REPORTS FOR MARCH, 2008 –**
- A. Clerk/Treasurer's Report.
 - B. Building Department's Revenue Report.
 - C. Recorder's Monthly Apportion Report.
 - D. Recorder's Document Revenue Report.
 - E. Planning Department's Revenue Report.
 - F. Sheriff's Report.
 - G. Justice's Court Second Fiscal Quarter 2008 Report.

Commissioner Frey made a motion to approve the Consent Agenda as submitted. Commissioner Pearce seconded the motion, which carried by unanimous vote.

CONSIDER FUTURE AGENDA ITEMS – Chairperson Washburn asked that we discuss the County's position on TROA at a future meeting so that when she attends another meeting she can declare the County's position and have something to back her up on that.

COMMISSIONER REPORTS:

CHAIRPERSON WASHBURN: Chairperson Washburn said she attended the Carson Truckee Water Conservancy District meeting. She was just recently reappointed to this committee by the Governor and the Official Oath was just signed by our Clerk/Treasurer and herself today. This is the meeting that she was concerned with placing TROA discussion on the agenda because that group is considering signing on as a signatory to TROA. In a legal review by done by CTWCD, the pluses that they came up and presented to the Board was that that group would have a seat on the nominating committee for the Water Master, another would be to sit on the Truckee River Operations Committee but there would be no voting power on that committee, and to be able to appear at hearings. That seems a little odd because they are public hearings so anyone can speak at those hearings. On the negative side is that a signatory to TROA could possibly be assessed a portion of Nevada's 40% obligation under TROA and have to agree to be bound by the terms of TROA and the Settlement Act and would not be able to challenge the Tribe on any water right issue in Court or before the State Engineer. She was asked to make a commitment and she put

off the vote because Churchill County had not made a formal stance on that. She didn't want to sit on that board and support TROA knowing that we probably won't here so she would like to have that. Commissioner Frey said that TCID also sits on that board if he is correct so he asked if she has discussed with management of TCID what their position will be. He thinks it will be instruction or guidance also. She replied that she has not personally discussed this with the board but she has had conversations with Ernie Schank and she has heard that they are going to be against signing on as signatory so the two of them may be the 2 lone votes against it. She believes she may be a no vote but is not certain until she gets direction from this Board. County Manager Goetsch said he thinks it is a great idea for a future agenda item and to invite Mike Van Zandt or TCID to come. Just to remind the Board, we have an agreement with the City of Fallon and TCID to join with them in hiring an attorney, Michael Van Zandt, to challenge and protest some of the pieces of TROA and some of the transfers that have been applied for under TROA. The main part of that is that Churchill County is already a member of the Truckee River Agreement and has been for many years and TROA changes many of the parameters and pieces of that agreement and Churchill County was not a signatory to that part. Until some of those things are straightened out or until the Orr Ditch and other existing decrees and courts have heard TROA and ruled on whether TROA impacts or illegally alters TRA, the County has taken an initial stance against it and is still in the process of negotiations with BOR. We have had a series of meetings, which are continuing, with BOR representing TROA and trying to explain how TROA impacts Churchill County and water users in the Newlands Project. Commissioner Frey asked if we are going to put it on the agenda, would it be best if we do it as having a Resolution or formulating a position paper or have the discussion on the agenda with the eye of developing a resolution or a position paper that clearly states in written form our position on TROA. It seems to him that that is the direction we need to be going and also to do it relatively rapidly to add clarity to our statement. Chairperson Washburn agreed and said it would not hurt to have either a resolution or something like that because in sitting on those 2 large water boards, it would be nice to have something to back up her votes and opinions because she finds that a lot of times they differ from the rest of the board. If we can have something to back that up it would help so a future agenda item to discuss that would be appropriate. Civil Deputy District Attorney Jardine said staff will do everything we can. The caveat to that is that we have litigation going on so we need to be very careful in what we present in the public forum associated with those processes. Considering what she has asked, staff will do everything they can to bring in that information which would allow her to take action on that, put forth a position without interfering with or having some kind of detrimental affect upon our litigation stance. Chairperson Washburn said at that same meeting they gave the updated water reports, which are not good. The Truckee Watershed was rated at 81%, Tahoe at 81%, Carson River at 84%, and the Walker Watershed at 90%. At that point, irrigation hadn't even begun in the upper Carson and Carson Valley because there was still no run off. Anything that was melting was sinking into the ground.

The CWSD Regional Water Committee met and Ed James will be getting on our agenda soon for a presentation to the counties and all water purveyors on the progress and plans of the regional water process that is going on. Senator Mark Amodei visited our meeting and some of the concerns because of the rumor that the Western Regional Water Authority was going to request of the legislature to expand and include the Carson River or create another regional water authority to deal with the Carson River and growth in Douglas County and Carson City. According to Senator Amodei there is no move to expand or create another committee as long as there is a regional group working such as CWSD and getting along and not being fractured and

factioned. He said that at this point he is not aware of any action to do that. He said that the legislature might look at counties that haven't matched their water resources to their master plans so it is important for counties to do so. His other message was that strong regional groups are the strongest defense against further legislative actions or attacks from individual legislators against our water resources. Tonight CWSD will consider the renewal of TCID's contract for membership on that board. She doesn't see any reason why that contract won't be renewed because it would be just like before – it would become a legislative issue if that contract isn't renewed to seat them on the board. CEDA is meeting tomorrow to develop and revise their work plan so if there is anything important that somebody feels needs to be included, let her know before 9:00 tomorrow. She issued a memorandum to Comptroller Kalt in reference to County Manager Goetsch's leave. It reads: "In accordance with Title 3.4.10, the Board of County Commissioners may by order provide for additional annual leave for long-term appointed officers and employees. As such, please be advised that as Chairman of the Board of County Commissioners I authorize the County Manager's annual leave balance to go into a negative balance situation due to timing of vacations in an amount not to exceed 40 hours. If at any time his annual leave balance is negative by more than 40 hours in any given pay period, it would need formal approval by the Board of County Commissioners. By allowing him to go negative, it would provide an advance of leave hours that he will earn in subsequent months and she will notify the other Board members at the April 16th meeting."

COMMISSIONER PEARCE: Commissioner Pearce said he had an invitation from the Mayor to attend a meeting on the 8th. He was among a group of 5 people to meet with a representative from the Don Reynolds Foundation. The foundation has about \$1B and 35 years left to spend it. They provide grants by invitation only and in a change of direction, the board of that foundation is looking at providing grants to smaller communities in the states that they have newspapers in. Of course that includes Oklahoma, Arkansas and Nevada. The process started with an invitation that went out to 8 governmental entities in Nevada but only 4 returned the survey that was enclosed. The survey was pretty simple but was a little time consuming. Those 4 that didn't return the survey each lost out on having the potential of an \$8M project funded by the foundation. The way the process works is that the representative for the board once the survey was done and again there were only 4 entities, he then did site visits to the 4, which included the City of Fallon, which may have been the last of the 4. He was given a tour of the community by the City Clerk, which included everything in our community and county, from facilities, schools, the hospital, soccer fields etc. At the meeting there were 5 people invited and then the representative asked that staff were asked to stay so that included the City Clerk, City Engineer and since Councilman Erickson had done some interviews prior to the representative's arrival, he was also there with the Mayor. The other people besides himself were Michon Mackedon, Mike Berney, De Vere Karlson and Jennifer Burton. There is the potential of up to an \$8M project for each community. He stated that communities don't have to win the project but they can lose it. He stated that the Reynolds process is cautionary in nature so he urged us to be patient with them because they do things in their own way and they have an order to it. He believes we had a successful site visit, we answered questions and had a good discussion. He will now go back to his board and try to get on their May agenda but if he was unable to do so, it would have to be on their October agenda. He hopes that the representative makes a recommendation that the City proceed to the next step but we, as part of the community, will benefit as a whole from this. The next step then would be a needs assessment or community-wide survey. They pay for that as a separate grant outside of the \$8M. It will be up to the board of the foundation to determine what

philanthropic project they want to spend their money on. While the number one need we see may be sewer and water, it might be something else like an airport or whatever the foundation determines. It won't be what our community determines as number one but what the Reynolds Foundation determines as what they perceive as number one that they want to do for our community. Generally speaking, they have been doing broad-based community centers. In the preliminary discussions that Councilman Erickson had with the gentleman, when the Boys and Girls Club was mentioned, they specifically said "no" to that project. Senior centers are acceptable, as were convention centers. We know that they donated \$6.3M to the Truckee Meadows Boys and Girls Club in Reno but we don't know why they won't consider that anymore. However, you can incorporate elements that would be beneficial and they said that broad-based multi-generational facilities are acceptable. He is thinking about the Winnemucca multi-use facility that incorporates a gymnasium, meeting space, kitchen area, and office space for nonprofits to call their own and he thinks that might be the direction they are heading. There are several such facilities in communities in Oklahoma that they have used their funding for. After the needs assessment, the board makes their determination of the project, they will then pay for the architect with another separate grant and will then pay to have it built up to \$8M. The two strings attached would be that they don't buy land so it would probably be a joint venture between the City and the County to acquire land to put this facility on. Secondly, prior to this time they had worked with nonprofit agencies, so he doesn't know if it is related to perhaps that nonprofits don't have the ability to guarantee that there will be sufficient funds to maintain the facility. One of the requirements of the City of Fallon and, again, this will probably have to be a joint effort with the City and County, to get this is that they must promise or put away a 20% fund to pay for repairs and overhaul the facility down the road. He also believes that it is a desire for the foundation to have a statute of Don Reynolds at any facility. They don't want his name affiliated with a building that is falling apart and is in disrepair or ruin. About the only people who can kind of guarantee that are governmental agencies and perhaps that is why they have chosen the direction that they have moving from nonprofits to governmental agencies. Those are the only 2 caveats but you then can get up to an \$8M facility to benefit your community providing for a lot of great things. He is very excited about it. The process is going to have to play out but it looks relatively encouraging. Again, he said it is not ours to win but it could be ours to lose. They do things their way and that is how they do it. He feels sorry for the other 4 entities that got that piece of mail and did not respond to the survey because they lost \$8M each by doing that. They got the feeling that it is a very slow process and could be 4 years down the road to actual build out but perhaps a little faster.

COMMISSIONER FREY: Commissioner Frey said that was interesting because the work we have already been doing on the multi-use facility in Churchill County to look into the idea of the Library, Senior Center and things like that being co-located is something we have already looked into. Hopefully, that information gets passed to them. He had a NACO meeting where one of the big things they are looking at right now is that the rural counties each only have one BDR for the state legislature so if we have any common BDRs that we want to see considered by NACO, who has 5 now down from 20, we need to get them to NACO. He has already sent an email to Brad and Alan to see if they had anything. There was discussion on wind generation and uses of mountain tops for wind generation. NACO passed a resolution to see to it that counties had to approve such facilities if they are to be located in their county. He attended the Jefferson-Jackson Day dinner put on by the Democratic Party. It was well attended with about 80 people in attendance. Kate Marshall gave a small talk and short introduction for Jill Derby who was the

main speaker. She will be running for congress. At the TCID board meeting, they lowered the allocation to 90%. At the Western Nevada Development District meeting, Paul McDonald from Union Pacific Railroad spoke and he is very, very positive about northern Nevada and especially northwestern Nevada's ability to attract large businesses, manufacturing, and warehousing businesses near the railroads. Our primary locations that are very good assets and that are under-utilized are the Mina and Fallon Spur. Those are very rare in the western United States and with Nevada's business climate and tax structure, we could attract those businesses who are looking for places to go. If people feel that the economy is not active right now, he said you are sadly mistaken because they get people all the time that want to move their businesses where there is rail access. That might be one of the things that CEDA could work into their work plan is to work toward developing some concept of a large area to be served by rail for industrial and the airport as we've discussed in some of our planning workshops. Chairperson Washburn said that is already there and there is a business that will be visiting our community within the next 6 weeks but she cannot say who it is. Commissioner Frey said at the Senior Board meeting, there was nothing great to note there but some adjustments were made in employee status and salaries.

COUNTY MANAGER GOETSCH: County Manager Goetsch said that is good news on the industrial rail and he thinks that is one of things that staff will have to work on in the future to bring something forward to get a policy statement or resolution on what are the top few economic development areas that this Board wants the staff and, by extension, CEDA who he considers our Economic Department Head, to give us what those priorities are of the things that the Board wants pursued. His perception is that the industrial rail park development is at the top of the list. That is how they have been responding lately. The Dayton water decision is taking up a lot of his and Rusty's time and the potential appeals from that, the Truckee Canal suits and watching that proceed and potentially getting legally involved in TROA on two fronts, both the protests on transfers they have applied for and the ongoing negotiations and talks with BOR, and then the Dixie Valley project development with that ear mark from Senator Reid of \$5M to work with BOR and to begin to study Dixie Valley in earnest for its potential to bring water to Fallon. All of those are well under way and dominating a lot of our time. It was interesting and he thinks it is great news on that community multi-generational center that Commissioner Pearce talked about. It is interesting that we have been working 6 or 7 months with the City, the Boys and Girls Club, Library, Senior Center, Parks & Recreation, School District, Juvenile Probation Office and Social Services and they have had quite a bit of contact with the Reynolds Foundation and other potential funding agencies. A needs assessment was performed and exists, which is a very good document. That is a great way forward. Councilman Tewell from the City has been a part of that and he hopes he and the City are talking about that and are involving him and they leverage what we have gotten paid for from other grants with the consultants we are currently engaged with and this thing may be able to be a great success for all of us. He has sent some emails to the Board on the Indian Lakes matter. He doesn't think there is any urgency there. He hasn't heard anything from BOR or BLM that there is going to be any immediate action or that they are seeking any actions. There have been some general inquiries from them on whether anybody is immediately interested in acquiring that area but those are the same inquiries that have been made for the past 10-20 years. As more information becomes available, he will work with the Board. His perception is again that while BOR owns that 6-10,000 acres out there, everyone has access, it is multi-use, and the community gets what it wants out of that and just to watch what goes into it in the future. By law, Churchill County has the number 1 position to acquire that land if there comes a time when BOR wants to dispose of it in the future and that

was part of 101.618. He would welcome any involvement or instruction from the Board. He met with Fish & Wildlife a couple of times. They've had some pretty good success in the past couple of months acquiring farms and water rights. They had a new appraisal that just came in and we should formally receive that soon. He believes there was quite a reduction in the value given to groundwater with the change in the real estate market and the change in development and building. We expect that to go from \$7,500 to around \$5,000 per acre foot and that will impact some of the things that the County is working on. He met with a couple of the geothermal companies recently and there are continuing interests in looking into the Dixie Valley area and at additional geothermal and maybe even solar development in the Lahontan Valley. They actually praised the position the Board took on taxation and getting a clear policy out there of what incentives Churchill County would support and what they wouldn't support. They thought we were forward thinking in doing that and that it helped them in their planning and financial planning. They were asking some questions about the monitoring requirements that we were negotiating with Enel and how that might affect them in the future. They are interested and they are watching that too and we are continuing to develop that in negotiations with Enel and with DRI with University of Nevada involvement in what is the right thing to do there. He has been involved with the School Board lately and he has asked Alan to explain the State Board of Taxation's position as it applies to the School Board but in those capacities they are both acting as interested parents and taxpayers. They have not purported to represent the County in any way. He may go up in the public comment portion as an interested parent to present some of the public information that he received from the state just to be sure the School Board addresses that and acknowledges to the public that they are addressing that. He wants this Board to know so that if they get any complaints from the School Board or whatever, the County isn't dabbling and it is just him because his son is in high school and he has a concern how the school is going. He sent a letter that he copied to the Board after coordination with NAS Fallon to the Navy's real estate department suggesting to them that we could have greater successes and that if we don't take advantage of the TDR program and some of the Navy money that is available, Fish & Wildlife may buy a number of the properties that we would be interested in and we'll lose that opportunity to build buffer around the base if other entities buy those properties and then sell them off for commercial development. He is trying to prompt the Navy to loosen up a little more of its money and to keep our TDR capabilities going with as little impact to the County as possible. Also, to let the Board know, the Logman conference of all of the county, city and state managers is this weekend on Friday and Saturday teaching evolution so he will be gone Friday and Saturday for that seminar.

COMPTROLLER KALT: Comptroller Kalt said he attended the School Board's meeting on Monday where they approved the 60 cent bond debt rate. There was some discussion of perhaps lowering the rate to 55 cents but on a split vote they went with the 60 cent tax rate. That was the same number that he had forwarded to the state and that Kelly used in the pro forma on the property taxes so that was somewhat anticipated. As Brad mentioned, they met with some of the Board of Trustees and it is clearly from a concern of what the impacts would be to the entire community if the school was deemed to be in need of technical financial assistance or in a severe financial emergency related to their fiscal efforts. He had a member of the public call him and questioned why we were so concerned with them and he talked with this person for nearly an hour. He thinks he understood and he wants to make it quite clear that he works for the County and he will provide general comments but he is not going to do their work for them and they understand that. There are some hard decisions that need to be made over there and, hopefully,

they will get on the right track. We got an updated insurance renewal. The committee will be meeting later this week and, hopefully, come back with a recommendation to the Board on our health and accident insurance. It appears that they will have a recommendation for some modifications and included in that will be an internal bifurcation of the rates where there may be a subsidy back to the County. He shouldn't really use the word subsidy as we have each been charged the same rates but our experience factors have been significantly different. He believes that CC Communications will come up with a formula to pay the County the amount that they have been subsidized. We submitted #5 submittal for AB198 on our water program. It is a very slow and painful process dealing with those folks. We will have at least one more submittal to get all those grant monies for our Phase 1 water. The tentative budget was submitted to our department heads and elected officials and the general feedback was appreciation because they were expecting worse. We are addressing our financial concerns. Sherry and he attended an enterprise accounting training class yesterday sponsored by the Government Finance Officers Association from their national headquarters in Chicago. Next week he has POOL/PACT meetings. PERS is going through some legislative changes and they are holding a workshop. For all of the entities the BDRs are being consolidated so they are asking lots of stakeholders from different groups to come together and provide input because of the reduced number.

DISTRICT ATTORNEY JARDINE: Civil District Attorney Jardine said he attended an emergency training seminar in Reno, which was a tri-state seminar and he saw the attorneys general for 3 states at that seminar. As is typical for such things, you always go away with more questions than answers. What do you know and how do you do it? He thinks that Commissioner Frey some weeks ago suggested a session to get some answers of what duties are expected of the Board in an emergency. Consistent with that, he proposes on a future agenda that he talk about legal duties, which will be apart and separate from a workshop for the nuts and bolts of all of this. He will prepare a Power Point presentation but he has information to share. He was talking with Ron Rudden from the Road Department today and asked him what his duties would be in the event of an earthquake and he told him that he would be out checking every bridge in Churchill County. Imagine that duty born by him in that connection. He will go through some immunities associated with emergency actions but will keep it brief and he hopes that will be meaningful. It won't come as a surprise but every good judge in the world has on his or her bench what is called a Bench Book. It's a plan for if they have a certain kind of case before them it provides the rules governing such a case. Good judges develop their own Bench Books and behind the rules they list special cases that they like to cite to and rules developed in other places. He envisions a little black book for the Commission that provides brief details of what to do. We find that people can be a little paranoid in other places. He almost got the vision that some of these folks carry around a briefcase that has all of the important documents in it. That is an important point. He ought to have prepared for the Board's signatures at any given time documents on the ready such as a proclamation, a declaration, or a resolution so that if something happens those documents are ready. There are some other documents that should be ready to go on a moment's notice. He will bring that to the Board in the very near future. County Manager Goetsch said Rusty will prepare that training for the Board soon. Then we have set up in conjunction with Vigilant Guard and its week long exercises that will be coming up in June that we have set up a couple of hours that we hope to involve the Board, to call them in during the heart of the exercise where they see everybody doing the things that they do and they will exercise that and ask the Board to declare an emergency and have some media involvement and

ask the Board as elected officials to make media statements to see how that training goes when we actually go into action.

CLERK/TREASURER HELTON: Clerk/Treasurer Helton had nothing to report.

CLAIMS AND PAYROLL TRANSMITTALS

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

There being no further business to come before the Board, the meeting was adjourned at 3:22 p.m.

APPROVED: _____

Gwen Washburn, Chair

ATTEST:

Kelly G. Helton, Clerk of the Board