

MINUTES OF THE CHURCHILL COUNTY BOARD OF COUNTY COMMISSIONERS

155 No. Taylor Street, Suite 145
Fallon, Nevada
05 June 2008

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 Chairperson Washburn.

PRESENT: Gwen Washburn, Chairperson
Lynn Pearce, Commissioner
Norm Frey, Commissioner
Brad Goetsch, County Manager
Rusty Jardine, Deputy District Attorney
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

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 May 21, 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.

Public Hearing – Consideration and possible action re: Bill 2008-B, Ordinance 101, an ordinance providing for the permitting of Locksmiths and Safe Mechanics by the Churchill County Sheriff as provided for by NRS 655.010 et seq.

TITLE: AN ORDINANCE PROVIDING FOR THE PERMITTING OF LOCKSMITHS AND SAFE MECHANICS BY THE CHURCHILL COUNTY SHERIFF AS PROVIDED FOR BY NRS 655.010 et seq.

SUMMARY: NRS 655.070 PROVIDES THAT EVERY PERSON WHO WISHES TO OPERATE AS A LOCKSMITH OR SAFE MECHANIC MUST OBTAIN A PERMIT FROM THE SHERIFF OF THE COUNTY IN WHICH HIS PRINCIPAL PLACE OF BUSINESS IS LOCATED. THIS ORDINANCE PROVIDES FOR THE PERMITTING PROCESS AND ALSO SPECIFIES THE AMOUNT OF FEES FOR ISSUANCE AND

05 June 2008

RENEWAL OF A PERMIT AND RELATED MATTERS.

Civil Deputy District Attorney Jardine reported that NRS 655.070 provides that every person who wishes to operate as a locksmith or safe mechanic must obtain a permit from the sheriff of the County in which his principal place of business is located. This ordinance provides for creation of a new chapter to the Churchill County Code governing the licensing and permitting of locksmiths and safe mechanics. The ordinance establishes an investigation process by the sheriff including all information to be included in an application. The ordinance also establishes investigation and permit fees to be later revised by resolution.

Chairperson Washburn inquired if there were any public comments but there were none so she opened discussion to the Board.

Commissioner Pearce said there are a couple of established businesses in this field and asked how long they would have to come in and apply for the proper licensure. Civil Deputy District Attorney Jardine said the ordinance itself would govern the applicability to existing businesses but, under the circumstances, staff has attempted to contact all of the businesses and have informed them of this pending ordinance. They understand what is being done and that this is the application of statute to this realm of licensure process so staff does not foresee any problems associated with that as everyone is of notice. Chairperson Washburn said that was the one question she had as well.

Commissioner Frey said his concern is not with the locksmiths and safe mechanics that go in and get a business license but his concern lies with those locksmiths who are unlicensed and transient and want to practice their wares outside of the regulations. He understands this is state law so the ordinance looks good.

Commissioner Frey made a motion to approve Bill No. 2008-B, Ordinance 101, providing for the permitting of locksmiths and safe mechanics by the Churchill County Sheriff as provided for by NRS 655.010 et seq.

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

Public Hearing – Consideration and possible action re: Bill 2008-C, Ordinance 102, an ordinance of the Churchill County employees providing for the amendment to provisions of Chapter 3.56.060 of the Churchill County Code (open meetings) and further providing for related matters.

TITLE: AN ORDINANCE OF THE CHURCHILL COUNTY EMPLOYEES PROVIDING FOR THE AMENDMENT TO PROVISIONS OF CHAPTER 3.56.060 OF THE CHURCHILL COUNTY CODE (OPEN MEETINGS AND FURTHER PROVIDING FOR RELATED MATTERS.

SUMMARY: CHURCHILL COUNTY CODE, CHAPTER 3.56.060, PROVIDES FOR APPLICATION OF NEVADA OPEN MEETING LAW TO MEETINGS OF THE EMPLOYEE MANAGEMENT COMMITTEE. THIS ORDINANCE AMENDS CHAPTER 3.56, SECTION .060, TO LIMIT AND DEFINE THOSE CIRCUMSTANCES UNDER WHICH NEVADA OPEN MEETING LAW SHALL APPLY TO MEETINGS OF THE EMPLOYEE MANAGEMENT COMMITTEE AND FURTHER PROVIDES FOR RELATED MATTER.

Civil Deputy District Attorney Jardine reported that Bill 96-G (1996) provided for the establishment of the Employee Management Committee and made applicable to proceedings thereof the provisions of Chapter 241 of the NRS (Open Meeting Law). Conditions and

circumstances exist for the performance of certain duties had by the Employee Management Committee that render compliance with the Nevada Open Meeting law impossible – such as organizing county-wide social events. The provisions of Chapter 241 of the Nevada Revised Statutes (Open Meeting Law) shall apply to meetings of the county employee management committee, when convened in its advisory capacity, to consider any of the following matters:

1. Formulation of personnel related policy and procedures,
2. Expenditure of public funds; or,
3. Nomination and selection of Committee members.

The Commission Secretary informed the board that there was a typo in the title of the bill, which should read 2008-C and she will have that corrected so the record should reflect such. Chairperson Washburn inquired if there were any public comments but there were none.

Commissioner Pearce made a motion to approve Bill No. 2008-C, Ordinance 102 (1996), providing for the amendment to provisions of Chapter 3.56.060 of the Churchill County Code (Open Meetings) and further providing for related matters. Commissioner Frey seconded the motion, which carried by unanimous vote.

Consideration and possible action re: Emergency Preparedness Exercise, Rusty Jardine, Civil Deputy District Attorney, Mert Mickelson, Emergency Operations Manager, and Steve Endacott, Emergency Operations Manager for the City of Fallon.

Mert Mickelson, Emergency Operations Manager, said that emergency management has been planning for and will conduct an exercise on June 12th. With him were Steve Endacott and Rusty Jardine to present on this matter. Mr. Endacott is the Chairman of the Local Emergency Planning Committee (LEPC) and will be representing the City and County in the *Operation Vigilant Guard 2008* exercises.

Mr. Endacott had a Power Point slide show for the board. The group started working about 6 months ago before we experienced the earthquakes that have occurred in Nevada. *Operation Vigilant Guard* was established as an annual exercise for northern Nevada, northern California and National Guard and includes local cities, counties and the federal government weighing in with some assets. Four of these exercises are conducted regionally each year. It is a week long exercise to demonstrate and evaluate various emergency response operations that could be expected to occur in Washoe, Douglas, Carson, Storey, Lyon and Churchill Counties on the Nevada side. The scenario will be an earthquake because it makes sense because we have and expect to again experience such. Participants from the National Guard perspective will bring in resources from 5 different states, including aircraft, people, advisors, security details and communications people. Nevada participation will include the counties, along with the State Emergency Operations Center in Carson City. Participation from the federal government will consist of FEMA, US Northern Command of the DOD, Air Force Northern, DCO/DOE, Navy, US Army, National Guard, American Red Cross and the Nevada State Patrol will participate.

The County and City had in mind to include the different exercises the agencies in our community are required to conduct, from a HAZMAT spill to a mass casualty exercise for the hospital. They have always wanted to conduct an exercise with the school system and get them involved with use of their bus shed and emergency shelters. They decided to utilize the LEPC to home-grow this operation to develop an exercise that would include the high-leverage events that they wanted to get done. His job is to meld that into a larger state and even larger regional exercise and make it flow together. From the City of Fallon, they have the Emergency Manager, the Police Department, Planning and Elected Officials. Churchill County has the Emergency

Manager, the Sheriff's Office, Search and Rescue, and the Road Department. From NAS Fallon, their EOD Bomb Disposal staff, hospital, Search and Rescue helicopters and security forces will be involved. The School District will utilize the bus shed and open Numa school for a Search and Rescue venue and the drama club will be involved. Banner Churchill Community Hospital will have their emergency room and EMS staff involved in the exercise. WNC will be supporting an animal shelter plan symposium that will be put on. The ham radio operators will come to our rescue in the communications venue. They have been participating and he is very happy with what they have done.

Their goal has been to maximize opportunities to coordinate and integrate venues between agencies, with less emphasis on boots-on-the-ground. It is how to make the communications work, how to go to the right agencies, how to get the buses rolling, and how to get the victims to the right place so, there will be a whole lot of coordination.

The timeline will consist of the earthquake occurring on the morning of June 12th but the EOC will not be activated until June 13th to give the National Guard, the EOC and other folks to get their folks positioned logistically. A security mission will be held to stress the National Guard utilizing one of their security companies to help out with security here in Fallon. Aerial damage assessment of the land, canals and dam will be completed by a predator airplane that can be flown by satellite. The con ops is to fly from near Nellis Air Force base and to fly into the MOA right over the top of the City of Fallon. It will be up at 20,000 feet and they intend to use this asset in a mobile command post to ascertain how the canals, dam and highways are doing. The Churchill County Planning Department staff will be involved with their maps and some of the law enforcement folks. We will be their guinea pig so to speak but they need to do the heavy lifting – providing the vehicle, National Guard members on the ground with receivers that make it work, military radios and handle the communications with the FAA and the local frequency manager. This has not been done before to his knowledge working directly with a county using a predator unmanned air vehicle. This could be a media magnet as well. NAS Fallon will provide supplies (MREs) for a logistics drill.

We will have a mass casualty drill. A tabletop exercise will be conducted by Pam Powell because she has received a lot of training on how to handle livestock and pets in an emergency. She has become quite an expert and some guest speakers will be coming in. There are grants for this kind of activity so it will not cost the County or City a dime. WNC will host that exercise on June 18th. On June 17th they start a discussion about what happens with groceries stores, banks etc. in an emergency when the ATMs run dry or there is no power or gas? What are their plans and are they even thinking about this sort of thing. That discussion will be a continuity of services table top exercise, which will be hosted by the Rotary Club. A National Guard security officer will come in to talk about security during disasters and a Red Cross representative will talk about continuity of services.

The Emergency Operations Center will be manned in the County Administration Building. Public affairs has been set up with the National Guard folks who have been participating in all of the meetings we have had and they are looking for media friendly events to send them to. He expects that we may have both our local and even out of town media folks show up for our mass casualty drill and the predator event, both of which are on the 13th. Communications will be handled with the mobile command and by not even using telephones in the first 4 or 5 hours of this exercise. The radios and mobile commands will be utilized with satellite phones. Land lines and cell phones will be brought on later in the day. His position will be as a controller. The mass evacuation and mass casualty drill will consist of a building

collapse at the base and their local clinic is overwhelmed with the bodies and the National Guard will assess and provide symptom cards. The scenario is how do we get them to Banner Churchill Community Hospital? The ambulances are overwhelmed responding to real crisis so they will be transported using school buses and the base security forces will be tested to determine if they get them to the right gate and building. The school bus radios will be used to do the command and control and then transport to the hospital. The hospital will conduct their mass casualty drill as well, which is a requirement for them. In the middle of this a bomb threat will occur in the City with the EOD folks. It has a lot of applicability to an earthquake in the fact that they will evacuate some people from a part of the City, make them fill out the evacuation form which asks where they are going, who we contact, and how do we contact the persons when they can move back in again. The National Guard will provide security for that and their robot will blow up the box. That will consist of police, guard and civilian participation. That will also occur on the 13th so the EOC will manage and coordinate resources for that exercise.

The predator event is called *Incident Awareness and Assessment* (IAA). It is not for spying activities but rather for assessment of infrastructure and damages to determine responses. On Saturday the Sheriff's office wanted to conduct a Search and Rescue drill. It will occur at Numa School using the drama club at the school mimicking a school collapse. The National Guard will again provide parameter security for the hysterical parents that want to rush into an unstable building. The Search and Rescue folks will do a methodical search method, taking into account that the building may be unstable. Captain Jon Haugen of the Sheriff's Office said that the Fire Department will participate in that drill as well. They were planning to have a HAZMAT exercise but because of the mercury spill at the school a short time ago, that provided an exercise from which they learned valuable lessons so that drill was cancelled.

Before all of these exercises occur, they will conduct a communications drill on June 12th that the local ham radio operators will take the lead on. They will physically call every single radio, phone and facsimile line at the EOC to make sure that we have the right numbers and frequency because we do not want to bog an exercise down on Thursday because we can't figure out how to talk to folks.

The Emergency Operations Center is a coordination agency that needs to be worked through if you want to work with external assets from either the state, the federal government or the base. He provided a flow chart of how the communications will operate. Goals are: to have worked together and forged relationships with regional emergency response partners and experienced first-hand the strengths and weaknesses of the plans and procedures. They are rewriting both the City and County emergency operation plans. They hired a consultant paid for by a grant to make sure that the City and County plans are fairly integrated and coordinated. They have a draft already and these exercises will test those plans, which will be finalized after the exercises so that the lessons learned can be included in the plans. The timing of looking at those plans have been coordinated so that the exercises are a sort of graduation check on whether the plans work or not. There will be some state guard data collectors who are not here to evaluate but to make sure that the venues did in fact occur and that nobody was hurt. They will report back to their EOCs as well. Detailed feedback recommendations will be provided to improve road maps for where we go from here. We will have the attention of regional and national leadership, leading to an unprecedented opportunity to make real productive changes, addressing major policies, personnel and resource shortfalls.

Commissioner Frey said our test was the Fernley canal breach and it was good to see that those systems were in place and were able to coordinate together. One of the problems we still

hear about is that communities can't talk to each other but in the Fernley incident, he understands that the communications worked very well and that is a big plus. Mr. Endacott said we had proactive people in the trenches doing the work from the beginning. One of the problems they experienced with the Fernley canal breach was that too many people showed up to help and caused traffic concerns.

Mert Mickelson said the EOC is primarily for communications. There will be 2 representatives from the Sheriff's Office, Fallon Police Department, the Fire Department, a public information officer and an emergency manager. That will be the extent of who will be in the EOC. When they open the EOC, they will expand into the Chambers and Conference Room 136. Room 136 will be used for elected officials, who will have position badges. One of the board members will be needed to sign a Declaration of Emergency. The Chambers will be used with 5 pods for different people such as the media, legal, public and other necessary people involved with the exercises. Each will have their own area. The public affairs officer will come into the Chambers to provide the media with information to be released to the public. They would like the Commissioners to be more mobile and move about to see how things are operating in the other rooms. The public information officer is Lynn Pearce. From 11:00 a.m. to 2:30 p.m. on the 13th the predator will be flying and they will have the video in the mobile command center in the back parking lot.

Civil Deputy District Attorney Jardine had a Power Point slide show to inform the board of its responsibilities in the event of an emergency. He defined an emergency as: "An unforeseen circumstance which requires immediate action and includes but is not limited to: (a) Disasters caused by fire, flood, earthquake or other natural cause; or (b) Any impairment of the health and safety of the public." For Churchill County, "emergency" means: "The occurrence of some event or the occurrence of some threatened event for which, in the determination of Churchill County, the assistance of state and federal emergency management personnel is necessary to supplement the efforts and capabilities of the County to save lives, protect property and protect the health and safety of persons of the County, or to avert the threat of damage to property or injury to or the death of persons in Churchill County." For the State of Nevada, it is defined as: "An occurrence or threatened occurrence for which, in the determination of the Governor, the assistance of state agencies is needed to supplement the efforts and capabilities of political subdivisions to save lives, protect property and protect the health and safety of persons of the state, or to avert the threat of damage to property or injury to or the death of persons in the state", which are fairly similar. The keystone or seminal legal event of an emergency is to declare an emergency. Staff has prepared a document that could be utilized in the event of an emergency, which is filed in the EOC. The declaration of an emergency operates to provide public notice of the existence and scope of the occurrence that has or may threaten lives, property, health and safety. It also operates to trigger immunity and special powers by local government pursuant to NRS 414 and operates to accord notice to the Governor of the emergency or disaster. Pursuant to NRS 414.070, the Governor may assume control of all forces to deal with the emergency, open the state's pocket book, provides for an evacuation, remove public officers from office if necessary, and perform and exercise such other powers as needed. Immunity from liability for the death of or injury to persons or property resulting from the performance of duties is provided to the State Emergency Response Commission, each local emergency planning committee and their respective members. A person who provides equipment, advice or other assistance in mitigation of the discharge of hazardous materials, in its prevention, clean-up, or disposal is immune from liability for the death or injury to persons or

property pursuant to NRS 459.792. Exclusions to that are damages resulting from a person's gross negligence or damages resulting from intentional, reckless or wanton misconduct. Immunity is provided for other emergency management for: all functions under Chapter 414 are declared discretionary functions, as opposed to "discretionary functions; except for willful misconduct, gross negligence or bad faith; professional licensing provisions are suspended; and "emergency worker" includes someone paid full-time or part-time, volunteer, employee of government etc. Immunity for private persons involves persons allowing the use of property during an emergency or practice event. Emergency management is for the preparation for and carrying out of all emergency functions, to minimize and repair damages from emergencies or disasters, including enemy attack, sabotage, hostile action, fire, flood, earthquake, storm or other natural causes including violence on school property, at a school activity or on a school bus and comprehends analysis, preparation for, response to or recovery from emergencies or disasters. Powers bestowed upon emergency management include the creation of a local organization for emergency management, conference of police powers, entering into contracts and incurring obligations necessary to combat an emergency or disaster, protection of the health and safety of citizens, protection of property and assistance of victims. The County may exercise the powers vested in light of the circumstances, without regard to time-consuming procedures and formalities prescribed by law, except constitutional requirements pertaining to the performance of public work. Continuity of government is provided in a catastrophic emergency caused by enemy attack, which means that if a vacancy occurs in the board of county commissioners, the remaining board has full powers to act and requirements for a quorum are suspended and adjusted as vacant offices are filled. If the entire board is rendered vacant, then who may act as a board? The answer, pursuant to NRS 239C.260(7)(b), is "such other elected officers of the county as may be available to serve on the board have full authority to act in all matters as a board of county commissioners." In the event of catastrophic emergency, we would contact the Assessor, Clerk/Treasurer, Recorder and Public Administrator. Another elected official he hasn't listed is the Sheriff, who will have his hands full because he has other duties to attend to under the Constitutional provisions. The open meeting law does not apply pursuant to NRS 241. A vacancy is normally filled by the Governor and must be of the same political party as the most recent holder of the vacant office and will be good through the unexpired term.

Commissioners will have decision making duties associated with the resources and setting things in place, which will then be carried out by the emergency operations manager. Commissioner Frey said he and County Manager Goetsch will be in Eureka on the 13th and asked if it is necessary that he cancel that appointment. Mr. Endacott replied that they did not write in a test of elected officials but was designed to get a feel for the scope of how things would operate. Chairperson Washburn said her time will be limited on the 13th but she'll be in town and they can test the system to see if they can get in touch with her. She appreciated this presentation and believes it will help our community. She has talked to the Sheriff and the emergency management committee about what her responsibilities would be and it was tested some with the Fernley flood.

Letters Received:

Consideration and possible action re: The National Association of Counties (NACo) is preparing for the 73rd Annual Conference and will hold elections of officers and policy adoption for this year's American County Platform and requests a form be completed by Churchill County for participation.

The National Association of Counties (NACo) is preparing for the 73rd Annual Conference and will hold elections of officers and policy adoption for this year's American County Platform and requests a form be completed by Churchill County for participation. In order to participate, a county must have paid its membership dues and have on paid registrant for the conference, according to NACo bylaws. Churchill County must indicate on the credentials form the name of the voting delegate and alternate authorized to pick up Churchill County's voting materials. In the event our county's delegate does not pick up the county's ballot, we must designate whether Churchill County:

- Allow another county within Nevada to pick up our ballot;
- Allow our state NACO president (or designee) to pick up our ballot; or
- Allow no one to pick up our ballot.

The form must be signed by the board chair and is due by June 27, 2008.

Commissioner Frey explained that what happened at the last NACo election was that one of the candidates for second vice-president, who will ascend to be president, had the foresight to send a bunch of people to gather up counties state-by-state who did not have representation there and utilized those votes to propel their candidate to the office of second vice-president. It appears to be a flaw but was totally legal but it threw the entire conference, convention and election into question. They have made some changes to where now we need to appoint someone to pick up our ballot and vote for our county or, in the alternative, authorize that no one pick up our ballot and vote for us. Due to the fact that the conference is in mid-July this year, there is no way that he can be away for that amount of time to attend and represent Churchill County so he suggested that the vote be cast for James Baushke, the President of NACO, and, in the alternative, Bonnie Weber, NACO President Elect as the first alternate and Jeffrey Fontaine, NACO Executive Director as the second alternate, be authorized to pick up and vote our ballot. His preference in talking to the different candidates is for our ballot to be cast for Glen B. Whitley, who is a certified public accountant from Texas. He is a very level-headed sort of guy that has a lot of good ideas that he thinks will serve NACo well.

Chairperson Washburn said that in not knowing the candidates she would defer to Commissioner Frey's recommendation but she does know James Baushke, Bonnie Weber and Jeff Fontaine and she thinks any one of those 3 would vote for us and represent Churchill County well.

Commissioner Frey made a motion to appoint James Baushke, NACO President as Churchill County's designated delegate; or in his absence to appoint Bonnie Weber, NACO President Elect, as the first alternate and Jeffrey Fontaine, NACO Executive Director, as the second alternate; and in the event that Churchill County's ballot is not picked up to designate and authorize either of said persons to pick up and cast Churchill County's votes. Further, directing that the Chair to sign the form and that the Commission Secretary complete the form and mail or fax it in by the deadline of June 27, 2008. Commissioner Pearce seconded the motion, which carried by unanimous vote.

Consideration and possible action re: Letter from Senator Nolan and Senator Schneider requesting support of legislation to enact a primary seat belt law to save lives and prevent injuries and related costs.

Senators Schneider and Nolan of the Nevada Legislature write to request that Churchill County support legislation to enact a primary seat belt law for Nevada to save lives and prevent

injuries and related costs. During the 2009 legislative session, they plan to introduce legislation to ensure that Nevada enacts a law making the failure to wear a seat belt a primary offense—one for which a driver may be stopped and cited by law enforcement. Seat belts are a critical automotive safety feature. Primary seat belt laws have a proven track record of increasing seat belt use and reducing serious injuries and fatalities. By passing a seat belt law, each year Nevada will save an estimated 11 or more lives, prevent more than 150 critical injuries and save \$38.6 million in related costs. A recent survey shows that 75 percent of Nevadans support the passage of a primary seat belt law. The Senators are seeking support from the County by way of letting elected officials and candidates know that we support the passage of this legislation and that they, too, should be committed to increasing the use of seat belts. They also ask that Churchill County add its name to the Nevada Seat Belt Coalition.

Commissioner Pearce said this has come up before and has not passed. Commissioner Frey said he feels you don't need to babysit people. He isn't sure it would make people put seat belts on just because it is the law. The deterrent should be that people are killed because they failed to wear a seat belt. Captain Haugen said he believes that enforcement of seat belt laws is effective as demonstrated by their "Click it or Ticket" campaign. The Office of Traffic Safety has demonstrated statistics that seat belt use is on the rise. They have programs going on right now focusing on teen seat belt use and have made some stops. Again, it is not a primary offense so they have to find another reason to stop them. Making it a primary offense would add an enforcement tool. They can document a reduction in traffic fatality when people use their seat belts.

Commissioner Frey asked if he had seen any statistics in other states that making it a primary offense reduces the fatalities. Captain Haugen replied that the Office of Traffic Safety has those statistics and we could get that information if the board wanted to review that prior to making a decision. He offered to assist in that effort if the board wishes to do so.

Civil Deputy District Attorney Jardine said he is a proponent of this type of measure because he feels that we can't do enough to protect the public, notwithstanding the fact that they often choose to do stupid things. One of the things the civil libertarians might say is that we are giving broad powers to the officers and that may be why this has been opposed in the past. He would weigh in on the other side that we need to do all that we can do to protect the public. Chairperson Washburn said Captain Haugen's suggestion to get the statistics before making a decision is a good one. She questioned if officers could handle this if this became a law? Captain Haugen said absolutely they could and they have discussed this and it would be an excellent tool for them. Education is an important component. Law enforcement has worked to have regulation for things such as kids in the back of a pick up and there were fatalities and that was finally approved 2 legislative sessions ago. Having it as a primary law is an excellent tool. Commissioner Pearce said some people won't wear it until they are caught and then they will take it off as soon as they are clear of the officer. He had a close friend in Salt Lake City whose wife worked at their hospital when the law was passed not to require a helmet on motorcycles and she talked about the strain it put on county services with increased costs and services so there is a local cost for people not wearing a seat belt. Our job is to be fiscally responsible so saving lives and saving money is important and this is a good means to do so.

Commissioner Frey made a motion to send a letter in support of the legislation to enact a primary seat belt law for Nevada to save lives and prevent injuries and related costs. Furthermore, asking that Churchill

County's name be added to the Nevada Seat Belt Coalition. Commissioner Pearce seconded the motion, which carried by unanimous vote.

Consideration and possible action re: Letter from Social Entrepreneurs Inc. requesting support of the Multi-Use Facility planning project.

Social Entrepreneurs Inc. writes to solicit a letter of support from Churchill County for the Multi-Use Facility planning project. The results of the work conducted by the committee have validated the community's desire to have a multi-use facility and the elements they wish the facility to include. Support from the County will validate the community's belief in the project's importance and provide important guidance and direction as the process moves forward.

Kelly Marschall of Social Entrepreneurs had a Power Point slide show. She said that the advisory committee has been meeting twice a month since January to get this project completed. She again outlined the primary purpose, public engagement, mission and vision statements, core values, outcomes to be achieved, facility programming, facility design and operation, benefits of the site selected (Churchill County Fairgrounds), and the next steps, which included a planning grant for architectural renderings.

The primary objective of the planning process was to assess the need for, design and determine the cost for a facility that would serve youth, families and seniors for many years to come. A number of activities were conducted to solicit community input in the process. The mission is to engage multiple generations and address the community's social and recreational needs. Its vision is that the multi-use facility will improve the quality of life for all Churchill County residents. The core values are that it will be inclusive and welcoming to all; ensure access for all community members; be a positive place for children, youth, adults and seniors; be efficient and effective in meeting community needs and be safe and secure. The outcomes they wish to achieve include that community efforts will be coordinated and integrated; community members will experience an increased sense of connectedness; that families will be stronger and less stressed; individuals will be healthier; individuals will have increased life skills; more youth will feel engaged; youth will have increased educational performance; youth crime rates will decrease; and the facility will address the needs of the community, family and friends. Facility programming will consist of recreation, including organized sports, games and classes; fitness will include track, equipment and classes; after school programming will include tutoring, activities, recreation and games; literacy programming will be in place for children, youth and adults; technology will include a computer lab, resources and access to the Library's online catalogue; performing arts/dance space will be included with a stage and rehearsal area; an arts and crafts room; a preschool area; and will house operations for Parks and Recreation Department and the Boys and Girls Club. Participants have indicated a desire that the facility be inviting/welcoming to all and that different age groups would disperse in different directions for specific programming; it will have a shared/common area for family activities; a large gym (at least 3 full courts) with seating, court dividers; running/walking track above that surrounds the perimeter; a large meeting area for events/convention with indoor-outdoor expansion, with access to a teaching kitchen and multiple meeting spaces that are convertible; a community lounge; gathering hub; restrooms and retail space; teen lounge and youth recreation area; administrative offices for the Boys and Girls Club and Parks and Recreation Department; front welcoming desk and storage area. The building will be designed in accordance with Leadership in Energy and Environmental Design Green Building Rating System, with a combination of natural light, fresh air, open plans, and multi-use facilities that encourage community involvement to help the environment and the community; green design with flexible use of

space; use energy, water and other resources efficiently; integrate renewable energy strategies, including passive solar design and, where appropriate, solar thermal and photovoltaic; integrate high-performance mechanical and lighting systems; conserve and protect natural areas; incorporate materials and products derived from sustainable-yield processes and/or manufactured locally; provide opportunities for safe walking and bicycling to the facility; multiple redundant heating and cooling systems will be employed to conserve energy; and systems utilized will incorporate demonstration and teaching areas designed to educate the public regarding “green technology”.

The use of the facility will consist of fundamental structures within the facility being shared by multiple partners with an MOU; each entity will also have space dedicated solely for their use; and the sharing of space will be managed by the Parks and Recreation Department and the Boys and Girls Club with the Parks and Recreation Department taking the lead on scheduling for the facility, except for the space dedicated to the Boys and Girls Club. Plans include a two story facility (82,700 square feet) with a phased building approach. Parks and Recreation will consist of 51,000 square feet for gyms, an event area, locker rooms, exercise room, community lounge, snack bar, retail, and administrative offices. The Boys and Girls Club will be housed in 30,200 square feet for a teen lounge, youth recreation, dance/art area, classrooms, storage and administrative office space. The Library will have 1,500 square feet for a computer lab, library kiosk, and classes. Operating hours will be Monday through Saturday from 6:00 a.m. to 10:00 p.m. Churchill County will act as a lead entity with Parks and Recreation being responsible for administration of the facility. Primary partners include the Parks and Recreation Department, Boys and Girls Club and the Library. Community agencies will be able to contract for use of the facility and partner to provide events/services. The facility will be centrally located ensuring access to most residents; close to other institutional elements such as a school or existing recreation facilities to allow for sharing of resources; able to accommodate future growth; sufficient square footage to build a facility without the land footprint limiting design; on a bus line with access from the high school; and be affordable. The site selected that meets all of the criteria is at the Parks and Recreation facility and was chosen because it is near schools; is next to the Aquatic Center; provides access to sports fields; includes the fairgrounds; has sufficient space for parking; includes a pre-existing Challenge Course; and utilities are already in place at the location. Benefits for this site also include that the site is accessible to the community; there is room for growth and a second phase of development; the land is owned by the County; there is space to build a new structure on the existing site; and there are opportunities to provide transportation for youth. Drawbacks of the site selected is that access for the schools requires crossing Sheckler Road so an overpass may be needed to ensure safe crossing and there is a four-way intersection on Schurz Highway, which must be addressed related to safety.

As the feasibility study is concluding, the next steps will consist of financing and fund development; developing a financial forecast for building and operating; developing an implementation plan; holding a Town Hall meeting on June 16, which will be linked to the Community Response Teams; and make a request for Commission consideration of a motion to support the concept.

Chairperson Washburn said this project sounds impressive and she has found from personal experience of living with 3 generations together that it builds respect, understanding and tolerance. CDBG grants do require support and she has no problem sending the letter. Commissioner Frey said he has no problem with the letter and said that this is a very ambitious plan but some people claim the location is too far out of town. However, he agrees that having

sufficient land for the project is important. Commissioner Pearce agreed with Commissioner Frey's comments.

Commissioner Pearce made a motion to send a letter in support of the Multi-Use Facility planning project. Commissioner Frey seconded the motion, which carried by unanimous vote.

Consideration and possible action re: The Churchill Animal Protection Society (CAPS) requests financial support from Churchill County in the amount of \$35,000 for the FY2009.

The Churchill Animal Protection Society (CAPS) requests financial support from Churchill County in the amount of \$35,000 for the FY2009. CAPS' mission is to eliminate the necessity for euthanasia through spay/neuter programs and to increase the number of adopted and impounded dogs and cats from previous years. CAPS has increased adoptions by 15 and impounds by 16 from the previous year at this time. Other statistics are outlined in their letter seeking support. The final budget submitted to the Department of Taxation included \$25,000 for CAPS for FY2009. If the board were to increase that amount, a similar reduction will need to be identified.

Commissioners noted that the request is for more than the budgeted amount but expressed the desire to keep to the budget.

Commissioner Frey made a motion to approve financial support to the Churchill Animal Protection Society (CAPS) in the amount of \$25,000 for FY2009. Commissioner Pearce seconded the motion, which carried by unanimous vote.

Old Business: None.

New Business:

Consideration and possible action re: The Nevada Association of Counties (NACO) seeks completion of a questionnaire regarding the limitations and consequences of Dillon's Rule.

The Nevada Association of Counties (NACO) seeks completion of a questionnaire regarding the limitations and consequences of Dillon's Rule. The 2009 legislature may present a unique opportunity to re-engage this discussion. The nature of the issues that are likely to occupy the legislative agenda will inevitably force a review of the role of local governments. The NACO Executive Board believes this may provide an avenue to constructively address this question of governing flexibility, through a deliberate and coordinated plan. There are several important elements to this plan as outlined in the attached letter. The NACO Executive Board has retained R & R Partners to assist in the development and execution of this plan and Jim Spinello will lead this project for R & R. The questionnaire is the first step in this project. Churchill County's response will identify those areas where the need for increased governing authority is most important. The Board asks that someone be assigned to complete the questionnaire and to ensure that the elected officials' areas of governing responsibility are covered in the response. It is critical that our response be as specific and detailed as possible, fully describing both the nature and consequences of the limitation. The questionnaire is due by June 13, 2008.

Chairperson Washburn said that there is questionnaire that needs to be filled out and the motion calls for County Manager Goetsch to be appointed to complete the form. Commissioner Frey said he received a copy of this questionnaire about a month ago and forwarded this to the County Manager and to former County Manager BJ Selinder because of his experience with problems such as this where he has run into the inability of a community to make decisions for itself and having to go to the legislature. One of the most recent examples is the juvenile

detention facility where we were trying to work it out with Lyon and Douglas County and if we have ways to fund the project why should the legislature be forced into the middle of our process? That one was frustrating and he knows that in BJ's 20 years of experience he has seen more examples of issues and this survey wants to have examples. The survey is being done by R & R Partners, the public relations firm hired by NACO. There are instances where we would be better off if we could do Parks and Recreation boundaries, district boundaries and things like that without having to go to the state. He is in favor of this response.

Chairperson Washburn said we need to make such a response. County Manager Goetsch said the department heads received this questionnaire, as did the commissioners and BJ Selinder. His department is collecting those responses and will compile it and complete the questionnaire by the deadline. Commissioner Frey said the objective is not to overturn Dillon's Rule in its entirety but to get some small areas that we need it the most to give counties more authority over their own destiny.

Commissioner Frey made a motion directing County Manager Brad Goetsch to expedite the completion of the questionnaire regarding the limitations and consequences of Dillon's Rule to give counties more authority over their own destiny to improve on the process and that such be completed upon consultation with and incorporation of input by the department heads, BJ Selinder, and the board. Commissioner Pearce seconded the motion, which carried by unanimous vote.

Consideration and possible action re: Appointments to the Churchill County Library Board.

Human Resources Director Stark reported that two vacancies are coming up on the Library Board. An announcement was made for interested citizens to submit an application for consideration – three applications were received. Two of the applications were from the incumbents. The third candidate (Thomas Urquhart) was interviewed by an advisory committee, which was composed of Human Resources Director Geof Stark, Library Director Barbara Mathews and the Chair of the Library Board, Dottie Brown.

Based upon the results of the interview and the committee's knowledge of the incumbents, the committee unanimously recommends Kathryn Reynolds and Alexis Huffman be re-appointed for four-year terms to the Library Board through June 30, 2012. The committee was impressed with Mr. Urquhart, as he shows a deep interest in reading and in books. He has a strong desire to serve the community through the Library Board, and he would be considered a solid candidate for future Library Board openings.

Commissioner Frey spoke as the board's representative to the Library that Kathryn Reynolds and Alexis Huffman are very active members and are very diligent in attending meetings. They have a very cordial board that gets along very well and is making a lot of progress.

Commissioner Frey made a motion that the County accept the recommendation of the Board Appointment Advisory Committee to re-appoint Kathryn Reynolds and Alexis Huffman to serve on the Library Board through June 30, 2012. Commissioner Pearce seconded the motion, which carried by unanimous vote.

Consideration and possible action re: Budget Transfer #02-FY08.

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 Commissioner's budget

transfer #2 for Fiscal Year 2007-2008. The reason for the transfer and the transfer must become part of the official minutes of the meeting. 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.

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

Consideration and possible action re: Community support for the City of Fallon Centennial Projects.

Comptroller Kalt reported that the City of Fallon is celebrating its 100th year. The Mayor, City Council and Centennial Committee have established several events and projects to celebrate this milestone. The City has contracted with Ferrel Construction to build an outdoor theater for open air concerts in the park. The projected cost of the project is \$288,875. This project and future concerts will add to the quality of life of the community residents, promote tourism and support local businesses in the community.

Chairperson Washburn said if we can find the money in this budget to support this project it would be good to help the relationship with the City and benefit the community at the same time. Comptroller Kalt said we have enough funds in the building reserve fund to send up to \$100,000 and if the board wanted to send more he would have to move money around. Commissioner Pearce said this is a great location next to the Churchill Arts Center and something in the amount of \$50,000 would be welcome and wouldn't stress our budget too bad but would help with the construction and benefit our residents. Commissioner Frey said he has attended concerts there and it is very enjoyable but his thought was to grant a sum in the area of \$75,000. Commissioner Pearce said he could go along with that. Chairperson Washburn said either suggestion would be fine with the approval from our Comptroller. Commissioner Frey said our building reserve fund is in good shape for our current needs and we have plans set in place to bring other revenues into it as the greater than anticipated revenues come in.

Commissioner Frey made a motion to approve payment to the City of Fallon in the amount of \$75,000 to support the building of the outdoor theater at Oats Park as a Centennial Project honoring the 100 year history of the City of Fallon. This payment will be out of the Building Reserve Fund.

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

Consideration and possible action re: Adoption of policy for the distribution of greater than anticipated intergovernmental revenues for FY07-08.

Comptroller Kalt reported that the fiscal plan is designed to allow Churchill County a method to apportion greater than anticipated revenues into the General Fund to make up for projected shortfalls in the CTX collections and the remaining receipts to the Stabilization of Operations Fund. Therefore, these funds could be used in subsequent years to absorb an unanticipated shortfall in projected revenues without dramatically disrupting County operations and acquisition of transfer of development rights. It is anticipated that there will be a shortfall in the CTX distribution. This shortfall will be made up with other intergovernmental revenues, including PILT, prior to the apportionment of the various funds. Churchill County is not expecting any significant greater than anticipated revenues. Our largest revenue source is the

Consolidated Tax and we are looking at probably a \$725,000 shortfall within the general fund. As a result of that, this policy is proposed.

Chairperson Washburn said this policy makes great sense to her. Commissioner Frey said it also makes great sense to him and is very prudent.

Commissioner Pearce made a motion to approve the apportionment of intergovernmental revenues which are greater than anticipated in the current year (FY 07-08) to cover the projected shortfall in the Consolidated Tax Distribution in the General Fund and then apportioned to the remaining receipts to the Stabilization of Operations. Commissioner Frey seconded the motion, which carried by unanimous vote.

Consideration and possible action re: Acceptance of report on GASB 45 Retiree Benefit Valuation.

Comptroller Kalt reported that the Governmental Accounting Standards Board (GASB) adopted statement #45 addressing the valuation of Other Post Employment Benefit (OPEB) liabilities for local governments. This report will require local governments to calculate, disclose and fund these long term liabilities on their annual financial statements. Churchill County's OPEB liability stems from the unfunded mandate of retirees who join the State's PEPB health insurance program. In addition to this subsidy, the County is required to have an implicated subsidy for retirees who remain in the County's health insurance plan as their rates must be blended with the active employees. Churchill County, like many local governments in the state, did not have any OPEB liabilities until they passed SB286 in the 2003 Legislative Session. In the last session, they closed that window and in the end of August if you are not retired and a member of system the way the current laws read, we would not have a corresponding liability.

Commissioner Frey made a motion to accept GASB 45 Retiree Benefit Valuation Report as prepared by Bickmore Risk Services outlining the results of the January 1, 2008 actuarial valuation of other post-employment benefits liabilities for Churchill County. Chairperson Washburn seconded the motion, which carried by unanimous vote of the two Commissioners left in the room at this time.

Consideration and possible action re: Partial Release of Security for the Alfred and Martha Ingles Cluster Development (TCID #06-045).

Patti Lingenfelter, Road Supervisor, reported that Al Ingles posted a cash security to meet 3 culvert installation requirements in March, 2007 for his cluster development. These projects must be completed with the cooperation and participation of TCID but due to scheduling conflicts, only 2 of the 3 culverts have been installed at this time. Mr. Ingles has requested that 2/3 of his security be released upon final inspection of the 2 culvert installations. These culverts have been inspected and found to meet all current County specifications as set by the previous Road Supervisor. It is the recommendation of the County Road Department that \$3,866.66 of the total \$5,800.00 security be released at this time. The remaining security in the amount of \$1,933.34 will be held along with Mr. Ingles Performance Agreement until the final culvert is completed.

Commissioner Frey made a motion to make a partial release of the security for the Alfred and Martha Ingles Cluster Development (TCID #06-045) in the sum of \$3,866.66 of the total of \$5,800.00. Commissioner Pearce seconded the motion, which carried by unanimous vote.

Consideration and possible action re: Appointment to the Sending Site Review Committee.

Planning Director Lockwood reported that Bob Getto's term on the Sending Site Review Committee is expiring. A legal notice was published in the newspaper and only his application was received. He is an excellent member on the committee and his input and expertise are valuable and they would recommend that he be reappointed.

Commissioner Pearce made a motion to reappoint Bob Getto to the Sending Site Review Committee for a term of three years expiring on July 1, 2011.

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

Consideration and possible action re: Interlocal Cooperative Agreement Establishing Churchill Economic Development Authority.

Civil Deputy District Attorney Jardine reported that this agreement is between the County and City of Fallon. Each of the parties has duly adopted a resolution endorsing and authorizing the formation of the Churchill Economic Development Authority (CEDA), to provide and promote for the development of civic, industrial and agricultural activities as well as the general improvement of social, economic and business conditions within the area it serves. A draft agreement recently circulated should be superseded by the complete and final version.

County Manager Goetsch said that this is an agreement between the City and the County whereby both parties have adopted a resolution endorsing and authorizing the formation of CEDA. That agreement was approaching its expiration and a continuance was offered. There is a little confusion because a draft agreement that was recently circulated in an attempt to meet a deadline was not the updated version. What the board has in its packet is the first version that went through County staff that has approximately a dozen changes that he will review and the second version is the one that was presented by CEDA, which was called a draft by the County, but that actually got the signatures on it. He is not sure whether the board needs to approve the draft version and then we also approve the new one and circulate that version for signatures so there may be a few days where the draft agreement is actually in effect until the real agreement is signed by the City also.

The changes were fairly significant but they were very few. The changes started with page 2, Article 3, a date was inserted for when the terms expire because there was no date so there was confusion sometimes. On page 3, Article 3, in the final paragraph they added a description of what CEDA's Business Council consisted of and its purpose. Article 4 on page 3, in the first paragraph they altered that to require CEDA to have a strategic plan, a mission and vision statement, and milestones to mark the accomplishments. Article 4, paragraph 18 and 19 were added, which requires CEDA to communicate through a presentation to the City and the County regarding their status and accomplishments. Under Article 5, there was a paragraph that said there had to be unanimous approval to make things happen so that was changed to require only a 2/3 vote so that they could have a dissenter but it would not end the item. It also said if an entity that is a member of CEDA or is paying and supporting CEDA hadn't paid its bill, the old contract said they were automatically not allowed to participate in CEDA anymore. That was updated to say that if someone had not paid their bill that they would be called to explain why they had not before CEDA ratified its budget and would have a chance to work with the CEDA board to establish a new payment policy or to determine why they hadn't paid but that they would not be automatically kicked out. Under Article 6, the same thing was done whereby approval did not require a unanimous vote but rather a 2/3 vote. On page 6, Article 7, the last change was to make the term of the agreement 4 years because the old agreement lasted for 10 years. That is what happened with this last one that there was no review or updating to the contract for an extremely long time and through a couple of boards and staff changes. It is

thought to be much preferred to have a 4 year agreement to allow for periodic review by new boards. Staff recommends that this agreement, which is an evolution of the old agreement be signed by the Chair and taken back to the City to be signed as an update. If there was some timing requirement that required the draft agreement to be signed and to be in place for a few days until the new agreement is signed, that would be acceptable. The draft is simply a continuation of the old agreement.

Chairperson Washburn explained that there was a time limit to get the agreement to the state or lose the state grant. Therefore, she signed it as did Mayor Tedford and it was presented to the state but there is nothing to preclude the boards from reviewing the document and re-establishing that it be approved by the boards and sending the new agreement to the state as a new agreement. That deadline of May 28 had to be met. This new agreement is an improvement over the draft and the draft is very much the same as what was done 10 years ago. Commissioner Pearce questioned Civil Deputy District Jardine if it would be appropriate to make the motion to approve the draft agreement and approve the amended agreement pending ratification and signature by the City of Fallon. Civil Deputy District Attorney Jardine replied that the motion would be appropriate in that format.

Commissioner Frey made a motion to approve to approve the past actions of Chairperson Washburn's signing of the draft agreement and also approving the updated Interlocal Cooperative Agreement Establishing Churchill Economic Development Authority. Commissioner Pearce seconded the motion, which carried by unanimous vote.

Consideration and possible action re: Resolution 19-08 opposing efforts to establish designated Federal Wilderness Areas in selected parts of Douglas, Esmeralda, Lyon and Mineral Counties within the State of Nevada and other matters related thereto.

TITLE: A RESOLUTION OPPOSING EFFORTS TO ESTABLISH DESIGNATED FEDERAL WILDERNESS AREAS IN SELECTED PARTS OF DOUGLAS, ESMERALDA, LYON AND MINERAL COUNTIES WITHIN THE STATE OF NEVADA AND OTHER MATTERS RELATED THERETO.

SUMMARY: A WILDERNESS PROJECT FOR THE STATE OF NEVADA, KNOWN AS THE NEVADA WILDERNESS PROJECT (NWP) HAS BEEN PROPOSED FOR MORE THAN 692,000 ACRES IN ADJACENT OR NEARBY COUNTIES OF THE STATE OF NEVADA AND FOR A PORTION OF MONO COUNTY, CALIFORNIA. THE APPROVAL OF SUCH A PROJECT WOULD PROHIBIT OR SEVERELY RESTRICT PUBLIC ACCESS TO SUCH AREAS AND WOULD EITHER CURTAIL OR ELIMINATE PUBLIC ENJOYMENT OF THESE PUBLIC LANDS. THIS RESOLUTION OPPOSES THE NWP AND FURTHER PROVIDES FOR RELATED MATTERS.

Civil Deputy District Attorney Jardine reported that the Nevada Wilderness Project (NWP) is an attempt to designate approximately 692,889 acres of wilderness in Douglas, Esmeralda, Lyon and Mineral Counties, Nevada. If enacted, this could lead to such measures taken in this county as well. This program may affect the taking away of local control over water resources within the proposed wilderness area. Ultimately, this measure may lead to the designation of thousands of acres of wilderness area in Churchill County, Nevada. Other communities are opposed to this wilderness program as well.

Civil Deputy District Attorney Jardine said there are areas in the Resolution that he intends to subject to further editing. He is open to any suggestions for additional language or corrections to be made to the Resolution being provided for consideration of the board. For example, in the summary you note “such ares”, which will be corrected to “such areas” and below that should read the “Board of County Commissioners”, not County Commissioner.

Chairperson Washburn said she supports this as policy and probably requested that this be done. Chairperson Frey said this goes along with what NACO did last week in Las Vegas at their board meeting in saying that we only support public lands bills that are supported by the counties in which they are the subject of those lands. As we know, we are getting to the point where public lands bills are being rammed down county’s throats without the approval of the County Commission so this is right in line with that.

Commissioner Pearce made a motion to approve Resolution 19-08 opposing efforts to establish designated Federal Wilderness Areas in selected parts of Douglas, Esmeralda, Lyon and Mineral Counties within the State of Nevada and other matters related thereto. 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. Churchill County Clerk/Treasurer Kelly G. Helton submits her Affidavit of Mailing Delinquent Tax Notices pursuant to NRS 361.5648(3).
- B. The Nevada Division of Environmental Protection (NDEP) notifies Churchill County that its final claim for reimbursement from the State Petroleum Fund will be heard at the board’s next meeting at 10:00 a.m. on June 5, 2008.
- C. Letter from the Annual Nevada Indian Days Powwow Committee notifying that the event will not be held this year due to lack of funds to support the event and thanking the Board for the financial support provided in the past.
- D. Nye County requests participation by Clark County elected officials in the Surface Transportation Board Proceedings relative to the Yucca Mountain Project.

2. REVIEW –

- A. Notice from Churchill County Social Services of the denial of two indigent medical applications filed under Client #10699 and #10718 for no response from client pursuant to NRS Chapter 428.
- B. Notice from Churchill County Social Services of an indigent medical application submitted under Client #10637 for which eligibility will be conducted within 30 days of receipt pursuant to NRS Chapter 428.

3. COMMITTEE AND DEPARTMENTAL REPORTS – None.

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 – None.

COMMISSIONER REPORTS:

CHAIRPERSON WASHBURN: Chairperson Washburn said she did not have a report to make and would be leaving shortly for a funeral.

COMMISSIONER PEARCE: Commissioner Pearce said he met with the City Centennial Committee to further plans for the City of Fallon's 100 year celebration. He also met with the Banner Churchill Community Hospital, Inc. board for the month..

COMMISSIONER FREY: Commissioner Frey said he has already commented on all of the NACO activities of import. He attended the Truckee Canal litigation meetings and he can't help but believe that the judge is headed down a path that may create increased damages to Churchill County. It scares the heck out of him that a couple of guys can get up there and work so hard to confuse the judge.

COUNTY MANAGER GOETSCH: County Manager Goetsch said a lot is going on with water. They are going out tomorrow with the BOR and the State Engineer and others to tour Dixie Valley and to look at the application of that \$5M that we got from Senator Reid and the federal government to study the potential for building a water importation project from Dixie Valley to Churchill County. He scheduled a meeting with the Lyon County Manager and some of their Public Works staff to discuss some of the water issues and protests on the Carson River and that will be ongoing. He has been catching up and complimented our department heads, Alan, Eleanor and his staff for handling things while he was off.

COMPTROLLER KALT: Comptroller Kalt provided an overview report. He thinks the planning workshop went very well and he attached a spreadsheet outlining the goals and timelines resulting from that workshop. Now the homework begins. The 5th submittal check of \$151,000 has been received from AB198. We are close to closing that but must hook up the mobile home parks and Hwy. 50 prior to closing that grant. Regarding taxable sales, as mentioned earlier, we will be about \$725,000 short of our original projection. Yesterday at the Committee on Local Government Finance, some important regulations were discussed, one of which relates to the establishment of trust funds for OPEB liabilities. There will now be a mechanism where we can move forward and start funding that. On a side note, POOL/PACT approved the establishment of a pooled trust so that smaller local governments could be involved in that. Commissioner Washburn had previously spoken about the audit fees going up because of the new standards, which will affect smaller entities. He is on an audit subcommittee which met this week to discuss expansion of the 2-tiered approach. Currently if you have a total expenditure under \$250,000, you are not subject to an audit. They are working with the Department of Taxation and looking at the size of all local governments to determine what that new threshold should be. They will not require an audit but they are likely to require a compilation and agreed upon procedures because there are tax dollars being spent and the public has a right for accountability. The committee received updates from White Pine County, Churchill County School District (CCSD), and Pershing General Hospital. The CCSD has made cuts and it appears that they should be able to make payroll. White Pine County is coming out of their severe financial situation and are now only receiving technical assistance. They are struggling with business license fees in the same manner that our Planning Department did. They are getting a lot of push back on the gross receipts method. He talked to the chairman of their board and suggested what we did with going with the flat rate. Although it will not maximize revenue generation but it will provide additional revenue and be a good step. Our packet number 72, the Yucca Mountain license application, came in, which consists of about 7 boxes. He will make it available at the Yucca Mt. office across the street for public inspection. Through the license application on the internet we are a cooperator so, we have done the primary

steps, which is primarily done through Rex Massey and Lorraine Pitchford. There is a meeting today in La Vegas on this very issue. Tomorrow he and his staff will be providing training on risk assessment for 3 hours to roll out the improvements in our internal controls and talk about the risk assessment models for when the auditors come.

DEPUTY DISTRICT ATTORNEY JARDINE: Civil Deputy District Attorney Jardine had nothing to report.

CLERK/TREASURER HELTON: Clerk/Treasurer Helton also 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 10:40 a.m.

APPROVED: _____

Gwen Washburn, Chair

ATTEST:

Kelly G. Helton, Clerk of the Board