

MINUTES OF THE BOARD OF CHURCHILL COUNTY COMMISSIONERS

155 N. Taylor St., Fallon, NV 89406

August 5, 2021

Call to Order:

The regular meeting of the Board of County Commissioners was called to order at 8:15 AM on August 5, 2021.

PRESENT:

Commissioner H. Peter Olsen, Jr., Chairman
Commissioner Gregory Koenig, Vice-Chairman
Commissioner Justin Heath
County Manager Jim R. Barbee
Comptroller Sherry Wideman
Chief Deputy DA Benjamin Shawcroft
Deputy Clerk to the Board Pamela D. Moore
Clerk/Treasurer Linda Rothery

ABSENT:

Pledge of Allegiance:

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

Public Comment:

Chairman Olsen asked if there was any public comment. Brennen Behimer said I am a teaching pastor at Parkside Bible Fellowship. I grew up here in Fallon and I am very proud of that fact. In my experience, Fallonites usually just want to be left alone. I don't think most of us tend to be visible or outwardly rebellious. When faced with rules that we don't like or approve, we prefer to be quietly stubborn in our resistance. The rule we are being stubborn about now has to do with mask mandates and the like. While quiet stubbornness may be acceptable, at times, for a private citizen these days, there is little room for it in leadership. In my role as pastor of a church, much like in your roles, I am responsible to give direction and protection for my people. For me, that usually means pointing out spiritual dangers by directing people to God's word, the Bible and God's son, Jesus Christ. For you, leadership is played out on a different plain, but it is leadership that is required. As of last week, 5,854 Nevadans have died with or from COVID. That is a lot of deaths and, among them, were beloved members of our own congregation. There are over 3 million people in Nevada. The number of dead from the disease totals 0.19% of our population. Less than 2 in a thousand. Of the 11.4% of Nevadans who have tested positive for the disease, 98.34% have survived. After nearly 18 months' worth of data, each one of us has a 99.81% chance of surviving this. We should not fear this disease and we should not be altering our lifestyles because of it. It would appear that many of you share my opinion. I am just a private citizen and has been pointed out in this chamber before, and, as a Christian, I have a duty before God to submit to my earthly authorities. Right now, the earthly authority I must submit to is Governor Sisolak and virtually any mandate he decides to issue under a state of emergency. That means I have to decide between going against my Christian conscience to

disobey the Governor's mandates or going against what seems to me to be plain reason and common sense by wearing a mask that has shown little efficacy, doing so whether I have been vaccinated or not. If I were a business owner, it would be much worse. My decision would then be between requiring myself and others to violate reason and common sense with masking or run the risk of exposing my livelihood to threats from the state and where does that lead? Faced with these kinds of decisions of conscience and personal risk, I appeal to you as my local authority to be the voice of reason and defense for me and others like me in the face of unwarranted mask mandates, which are motivated by political gain and control than by any actual science or concern for public health and which has already done untold economic harm in our nation and county. If you, as my local authority would call out this political and unwarranted mandate and others like it saying to Carson City that Churchill County will not comply with or pass on any such demands to our citizens, then I and other citizens like me would not have to make the choice between conscience and common sense. I plead with you to stand up to the Governor and draw line in the sand, so the little man doesn't have to go this alone. Please don't leave us unprotected and without leadership. Your county needs you and I am asking you to stand up to Carson City.

Steven Duarte said I know that leadership authority is a privilege and it is also a weight and I thank you for carrying that weight on behalf of Churchill County. Historically, the growing tide of tyranny has often been averted to the efforts of lesser authorities. The Magna Carta which sought to limit the powers of an unjust king was accomplished by a group of land barrens united in the cause of liberty. Even Americas own Revolutionary War was led by the lesser authorities to curb the abuses of power. In the threat of growing tyranny, the lesser authority more immediate to the people has the right and the responsibility to protect those it governs by providing a check on the higher authorities. Typically, the lesser authority has a responsibility to obey the higher. There are times when the lesser authority must respectfully take a stand against the higher to fulfill this greater responsibility to protect and care for those that they have been granted authority over. If, in the face of growing tyranny, the lesser authority does not respond by checking the power of the higher, tyranny will remain unchecked and the people will lose their freedom. History has demonstrated this time and time again. The requirement of masks in itself is not a huge deal. Right now, the easiest course of action would be to wait out the mandate, however, to do so would set a dangerous precedent. It is easier to pick a weed when it is small. It is easier to curb the abuse of powers early on. My plea to you is to take a stand and tell the constituents of Churchill County that they do not need to obey the mask mandate, even if the Governor were to threaten to take away tax money. I think most Churchill County residents would prefer their liberty to the benefits gained by such money. Additionally, this threat can only be carried out once. I am asking you today to please take a stand on this issue for our sake, for our children's sake and, quite frankly, for Governor Sisolak's sake. Love is doing what is best for someone even if they don't like it and even if it comes at great personal cost. Taking a stand on this issue is protective of the people of Churchill County and it protects Governor Sisolak from further abuse of power.

Linda Thompson said I am with Battle Born Patriots and I am also a resident of this county. As for the masks, I heard that you are not going to enforce the mandate but, as the old saying goes, if it is not in writing, it did not happen and you have it written right on the top of your agenda

that we have to have masks to be in here. I see you don't but that is what is written, so it could be held at us at any moment. I'd really appreciate it if you would put it in writing that you are not going to enforce it. As for the shots, too many are dying or having permanent damage and the results are being hidden. My son is a perfect example. He was forced to take the shot. If he wanted to see his children, he had to take the shot. Two days after the second shot he was rushed to the hospital unable to breathe. He now has a permanent black spot on his upper left lung. He will never heal. He cannot take a normal huge breath because it hits that black spot and it shuts his breathing down. He spent 10 days in the hospital and 33 days on an IV getting antibiotics. He is now on daily oral antibiotics. This has been going on for 2 months. People are not being told the truth about the shot. It is deadly. Just as many are dying from the shot as they are from COVID. They have a better chance of surviving COVID than they do the shot. Quit encouraging, coercing, and trying to get people to take it. If they want it, fine, let them have it, but if they don't, quit pressuring them into taking it. They say you are going to lose your job if you don't get the shot. You can't come to meetings if you don't get the shot. That is not freedom. That is not what this country was built on. We also found out this morning that we have not been put on the Agenda to be declared a constitutional county. We really want to bring that up at these meetings and we keep getting shot down and we don't understand why. You swore to defend the Constitution but, you are not defending it when you are allowing that dictator in Carson City to take our freedoms away from us. He is breaking constitutional rights of us. You are supposed to be there for we the people of Churchill County not dictator Sisolak. It says in the Constitution if it is repugnant to the people, it is null and void. Well, I am sorry that a lot of the stuff Sisolak has been doing is repugnant and it is time for the people in this county to stand up and it is time that the Commissioners listen to us. Do what we are asking, not what he is demanding; be there for us.

Amber Sanchez said I come before you today to talk to you about the fact that you have it in writing that if we are not fully vaccinated, we are supposed to wear a mask. That must be county policy but yet, it is not enforced and she is correct about the fact that if it is in writing, that it can come down at any moment upon us. I disagree with that. I think that we need our freedoms back and we need them back now. We need you, as our elected representatives, to do that on our behalf. We can't just do it on our own; we actually need you and we need you to stand up for us. I agree with the previous 3 speakers; the pastor, the guy that was sitting here and Linda. We need this. We need your help. We need your protection from the tyranny that is coming down upon us from on high and that is another question I have for you is what is your tolerance, personally and collectively as a governing body for tyranny? Where is that line in the sand because it is unclear to me how much tyranny you are willing to tolerate on our behalf. I know, I have precious little tolerance for it and it is all I can do to keep my head from exploding on a daily basis when I see what is going on. The fact that there is going to be people in here that are going to talk about the lottery, which is basically bribery to get the job. That is causing so much mayhem and maiming and death. It is not curing anything. It does not keep you from getting COVID. They still make them wear masks. This is total ideocracy and tyranny and I have had it. I am sure a lot of people have had it, so I am asking you to please stand up for us because we need you.

Brook Allen said I live in Churchill County. I am a Christian, a wife, a mom, and I also own a tax business here. I just wanted to come before you and ask the same thing that everybody else has been asking, that you take a stand against the mandated masks. Leave it up to a personal decision. Preemptively, I would also like for you guys to make clear that Churchill County will not participate in a vaccine passport because that mandate is coming right down the pike. I would like to share that because I do tax returns, I see the impact that all of these mandates are having on businesses. What is happening is people where they used to walk into a gift shop and browse around and spend the extra \$50 on things they don't actually need, that is not happening anymore because everybody runs in and they run out. They get what they need out of the store and they leave because nobody wants to hang out with a mask on. While most businesses don't enforce it, they do have the sign on the business that says you must have a mask on. That gives the impression they can't come in so people come in really fast, take what they need and they leave. This is having a detrimental effect on businesses. If the businesses in Fallon don't feel like they can invest money into their business to keep it open, they are going to close and the people that come behind them are also not going to open because they don't trust our county to take a stand against the tyranny. We are going to lose our small businesses, which are the backbone of our community. I would like to ask you to please take away and make clear Churchill County's stance on the masks. Put it in writing like the other people have been saying. I would also like to say that I know you guys have been put in a hard position, harder than any of us here can understand. We know that Sisolak has threatened to take away our funding, so I know that there is a lot more to balance than just a couple people coming here to ask you to take a stand against the masks. I appreciate that. I appreciate you guys' sacrifices. I can only imagine that you spend a whole lot more time here than you ever planned on. We thank you for your service and I am asking you to stand in the way. I heard the other day that Ronda Santos referred to Florida as the oasis of freedom and I feel like she is stealing our gig. I feel like Fallon needs to stand up and be the oasis of freedom and we can only do that with your leadership. I am sorry you have been put in a hard position, but I am asking you to take a hard position and stand up for the people in your county.

Geof Knell said last week I preached on Romans 13: 1-5. It is about being submissive to the government authority but only when the government is righteous. Right now, the governing authority and this Commission, I am sorry to say, is obeying the state mandate and the federal mandates. They are killing human life, sexualizing our children, and you are letting it happen. You have lost the ability to think for yourselves with legal obligations. Well, our government is totally unrighteous. I will read Psalms 2: 1-5: "Why do the nations rebel and the peoples plot in vain? The kings of the earth take their stand and the rulers conspire together against the Lord and his anointed one. Let us tear off their chains and free ourselves from their restraints."

I just got back from Wisconsin and I hear the stories of the people who took the shot. They are experiencing blood clots, neurological problems, all kinds of stuff going on because of this so called pandemic. We need to stop it and be wise and become righteous and bring God's standard back into our government to resist the political movement of soft Communism that causes harm. Soft Communism is done in little increments. It looks good but it is evil. Absolutely evil. I am shocked that people showed up today because I have been coming here almost every meeting to offer you hope that believing and trusting in God to make God's

standard come back to the government, because you are not. You are not believing and trusting in Him and making competent decisions. You are just going through legal obligations and going through the process. You represent us. In closing, the Preamble, our Declaration of Independence, says we can take you out and we will. If you want to save your jobs, come to Christ; come back to God's standards. Let's defy the tyranny of the wicked one. You are following the plot to being evil.

Shannon Ernst, Social Services Director, said I want to introduce Jamie Lee, who is our new Life Center Manager, effective as of Monday. At this point, we have all staffing in place but 4 positions that have been filled. Our activities have come forward and we have a lot going on. Through this transition, I believe it has been smooth and the participants have enjoyed things that are taking place. We are hearing their suggestions and continue to implement things.

Verification of the Posting of the Agenda:

It was verified by Pamela D. Moore, Deputy Clerk to the Board, that the Agenda for this meeting was posted on the 30th day of July 2021, between the hours of 8:00 and 11:00 AM at all of the locations listed on the Agenda, in accordance with NRS 241.

Consideration and possible action re: Approval of Agenda as submitted or revised:

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

Consideration and possible action re: Approval of Minutes of the meeting held on:

A- July 1, 2021.

The Minutes of the meeting held on July 1, 2021, are submitted for the board's consideration and approval.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED:

Commissioner Justin Heath made a motion to approve the Minutes of the meeting held on July 1, 2021. Commissioner Gregory Koenig seconded the motion, which carried by unanimous vote.

Appointments:

8:15 AM - Consideration and possible action re: Parcel Map Applications for six maps filed by Nev Dev LLC and Mason 1 LLC for properties located north of Dillon Road, Assessor's Parcel Numbers 008-113-49 and 008-113-56, consisting of 80.0 acres in the E-1 zoning district, whereby these maps will implement the Tentative Parceling Plan that was approved by the Board of County Commissioners

The Master Plan land use designation for this area is Urbanizing, with the intent that urban densities and infrastructure be extended from the central core of the community over time. The

zoning district is E-1, which allows 1-acre lots (or smaller) if adequate services are in place.

The site is located on Dillon Road and on the north side of the Sky Ridge development - a large neighborhood of 1-acre lots on well and septic systems. Large 1-acre developments like that are no longer allowed without community sewer and water services (and paved roads).

The Applicant has submitted a series of 6 Parcel Map Applications to implement the previously approved Tentative Parceling Plan to split 2 adjacent 40-acre vacant lots into 16 5-acre residential lots. The process for serial parcel maps is to do the first map of 3 small lots and a remainder, then, on the remainder, to do 3 small lots and a new remainder, then repeat the process until all lots in the plan are completed. Because they are used for larger developments, serial parcel maps are subject to additional requirements similar to subdivisions.

According to the development code, serial parcel maps are not allowed to create lots of less than 5-acres, so the Applicant has configured the plan to create 5-acre lots. In addition, new 5-acre lots must either front on a public road or have a paved road built to each new lot. Dillon Road is a paved county-maintained road, so the Applicant has arranged all lots to front Dillon Road and avoid the need to build a new paved road.

A copy of the Staff Report, prepared by the Public Works, Planning & Zoning Department, is attached for reference and lists the following recommended conditions for approval of the maps:

- 1) Changes shall be made for compliance with Churchill County Code and the parceling plan conditions of approval, including but not limited to:
 - a) Corrections for clarification and typographic errors/
 - b) Adding additional Note 2 references (regarding road maintenance agreements) on all road easements for the private driveways.
- 2) Any final changes required by the County Surveyor shall be made prior to recording, including but not limited to the following:
 - a) Corrections for clarification and typographic errors.
- 3) The shared driveways serving each group of 4 lots shall include the following:
 - a) Paved aprons meeting Road Dept. standards shall be provided for each driveway at its intersection with Dillon Road.
 - b) Shared driveways shall be constructed to county gravel road standards.
 - c) Each driveway shall be provided with signage near Dillon Road to state "Privately maintained driveway".
 - d) Improvements for each shared driveway shall be completed or bonded before recording the maps that create the lots fronting the shared driveway.
- 4) A Road Maintenance Agreement acceptable to the Public Works Director shall be recorded, along with the maps creating the parcels using the driveway.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Dean Patterson, Associate Planner, made this presentation as outlined in the Agenda Report and stated above.

Chairman Olsen asked if there was any public comment but there was none. Commissioner Koenig said thank you for working with us to get to this point. We appreciate what you have done. Chairman Olsen said yes, we ended up with a better product.

Commissioner Gregory Koenig made a motion (A) to approve the 6 parcel maps entitled 1st through 3rd Parcel Map for NEV DEV LLC and 4th through 6th Parcel Map for Mason 1 LLC to divide APNs 008-113-49 & 008-113-56 into 16 parcels, subject to the conditions as listed in the Agenda Report; (B) to accept the offer to grant easements identified on the maps; and (C) to reject all offers to dedicate lands and improvements at this time. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

8:25 AM - Consideration and possible action re: Application for funding in the amount of \$10,000 for the 2021 Fallon Cantaloupe Festival & Country Fair

A copy of the Application for funding submitted by the Fallon Festival Association, Inc. in the amount of \$10,000 to support the Cantaloupe Festival & Country Fair in FY22 is provided. The Cantaloupe Festival & Country Fair is being held August 27 - 29, 2021 and is an annual reoccurring event. This festival has been a part of Churchill County for the past 36 years (with last year being cancelled due to the pandemic). It is a tradition for many and also helps promote tourism by attracting people from outside the area.

This application has been reviewed by the County Manager for completion of required materials and the criteria appropriate to warrant county funding (such as: non-profit status, funding sources, community benefit, etc.). The application submitted by the Fallon Festival Association, Inc. indicates a requested amount of \$10,000 in support funding from the county, which is the same funding level the county has provided in the past.

FISCAL IMPACT: \$10,000

EXPLANATION OF IMPACT: As the county has a longstanding history of supporting this event, our FY22 budget included support for the Cantaloupe Festival & Country Fair in the amount of \$10,000, so there are adequate resources budgeted to continue supporting this event.

FUNDING SOURCE: Community Support/Fair Committee Expenses (100-401-55710).

ACTION REQUESTED: Accept

Zip Upham, Chairman of the Fallon Festival Association, said working directly with County Manager Barbee and the challenges we are facing this year, which surprisingly are not COVID related, they are parking lot related. We are working to try to mitigate the impact of losing most of our main parking lot to the new Civic Center project. We have a plan to work around that by using the lot on the south of Miners Road, which is the equivalent of the main fairgrounds lot, I think we will be able to manage a parking plan without impacting Sheckler Road or putting people across the street at the school, because we have no traffic controls on Sheckler. The challenge is going to be to get people back and forth. That walk will be much further than was

expected or what we were used to in the past. One advantage that gives us is we have an awful lot of chain link fence line to hang banners on, so if we wanted to advertise the Rafter C3 Center in its future iterations, we have a lot of billboards to use.

The intention this year is to put on the Cantaloupe Festival as we had intended last year but had to cancel because of COVID. This year, we are looking to do much the same festival as last year but one thing that will be different is the construction site cuts off the main gate, so we are going to move the gate up towards the multi-purpose building and use a couple of temporary structures that are part of the vaccination facility as our entrance gate. The rest of the layout, the vendors, the small stage, the carnival, and then the main stage will be in the arena. All of that will be similar to what was done in the past.

Chairman Olsen asked if there was any public comment. Geoff Knell said I am kind of puzzled as to why we are building a building we don't need for a lot of money. Then I find out this Cantaloupe Festival has been reduced because of a building we don't need. Socialism comes into Communism eventually. If you rely on the government for everything as an addition to our organization and its funding, we are losing our premises of our freedom. We should be able to support any organization to get the capital but not from the government because we are spending money way beyond our means. Think about our future generations to sustain our lives, to sustain our way of life in America. This is a simplistic asking for money that we don't have. As the Agenda goes on, millions of dollars will be spent today, most likely, out of money that has been printed out of thin air. I want you to consider, my representative, that you are spending money we don't have, just because it looks good on the surface. Just think wisely, okay?

Chairman Olsen asked if there was any further public comment. He said I know nobody does this by themselves. This is an awesome event for our community. Most everybody looks forward to it and enjoys it. It is a wonderful thing to have some normalcy. We had a 36-year history interrupted by last year and I for one want to get back to normalcy. We have to live our lives in spite of what is going on. COVID is with us and it always will be just like a lot of other diseases. We need to continue on and take precautions as they might appear to be common sense at the time, and let's move on with our lives. I want to wholeheartedly support you guys and continue on with this and I appreciate all of your hard work. Zip Upham said thank you and we very much look forward to it.

Commissioner Justin Heath made a motion to approve funding for the Fallon Cantaloupe Festival & Country Fair in the amount of \$10,000 for Fiscal Year 2022. Commissioner Gregory Koenig seconded the motion, which carried by unanimous vote.

Letters Received:

A- Consideration and possible action re: William N. Pennington Life Center's Menu, Cooking Demonstrations, and Painting Classes for August 2021.

The Menu, Cooking Demonstrations flyer, and Painting Classes for the William N. Pennington Life Center are provided for the month of August 2021 for the information of the board and public.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

B- Consideration and possible action re: Nevada Division of Environmental Protection's notice of a public workshop to solicit comments on Proposed Amendments to Nevada Administrative Code Chapter 445B - Air Pollution.

The Nevada Division of Environmental Protection (NDEP) provides notice of a public workshop to solicit comments on Proposed Amendments to Nevada Administrative Code (NAC) Chapter 445B - Air Pollution. The workshop will be held in Carson City on July 28, 2021, from 1:30 PM to 4:00 PM, with video conferencing from Las Vegas.

NDEP is proposing to amend NAC 445B.22097 relative to emissions standards for certain new motor vehicles offered for sale in Nevada. The proposed regulation adopts, by reference, the California Low Emission Vehicle Standards and Zero Emissions Vehicle Program. The workshop has been scheduled to solicit comments from persons interested in the amendments. If adopted, this regulation may be submitted to the USEPA as a revision to the Nevada State Implementation Plan.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

C- Consideration and possible action re: Introduction of Tallon Rauch as the Transportation Planner Analyst for the Nevada Department of Transportation.

Tallon Rauch, from the Nevada Department of Transportation, writes to introduce himself as the Transportation Planner Analyst. He joins Guinevere Hobdy in temporarily taking on the responsibility as the Rural Counties Liaison. Lee Bonner was the previous point of contact at NDOT but has retired from the State of Nevada. NDOT is currently looking for a qualified person to fill his position. However, in the meantime, Mr. Rauch will be the main point of contact.

Mr. Rauch writes that Churchill County has NDOT's full support for transportation needs. As part of this commitment, NDOT is embarking on some new changes to the County Consultation Program. These changes will include new goals, tools, and approach to planning for Churchill County's needs, education of their One Nevada Program, and new meeting platforms. To build this new program, NDOT will be pausing the County Tours for 2021. The workshops will be held in the fall/winter of 2021 and again in the spring of 2022, at which time NDOT will collaborate with Churchill County on the county's short and long range transportation needs.

In the interim, questions, concerns, or needs can be sent to Tallon Rauch at: trauch@dot.nv.gov or by telephone at 775-434-4548. Guinevere Hobdy can be reached by email at: ghobdy@dot.nv.gov or via telephone at 775-430-3868.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED:

D- Consideration and possible action re: Nevada Division of Environmental Protection's notification of its decision to issue a renewed Water Pollution Control Permit to Don Jung/New Pass Mine (permittee) authorizing the operation of approved mining facilities in Churchill and Lander Counties, Nevada.

The Nevada Division of Environmental Protection (NDEP) provides notice of its decision to issue a renewed Water Pollution Control Permit NEV0093114 to Don Jung/New Pass Mine (permittee). This permit authorizes the operation of approved mining facilities in Churchill and Lander Counties, Nevada. The Division has been provided with sufficient information, in accordance with Nevada Administrative Code (NAC) 445A.350 through 445A.447, to assure that the waters of the state will not be degraded by this operation and that public safety and health will be protected.

The Permit will become effective August 22, 2021. The final determination of the Administrator may be appealed to the State Environmental Commission pursuant to Nevada Revised Statute (NRS) 445A.605 and NAC 445A.407. All requests for appeals must be filed by 5:00 PM, August 2, 2021, on Form 3, with the State Environmental Commission, 901 South Stewart Street, Suite 4001, Carson City, Nevada 89701-5249.

No comments were received during the public comment period.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

E- Consideration and possible action re: Bureau of Land Management's public consultation for Proposed Temporary Range Improvements for the Willow Creek and Stone Cabin Allotments.

Bureau of Land Management's public consultation for Proposed Temporary Range Improvements for the Willow Creek and Stone Cabin Allotments in Nye County, Nevada. This action was developed with coordination between the Bureau of Land Management (BLM) and Stone Cabin Ranch, LLC (hereafter, permittee) to improve livestock distribution in response to drought.

The proposed project location in the Willow Creek and Stone Cabin Allotments is located approximately 45 miles northeast of Tonopah, Nevada. The allotments comprise approximately 408,463 total acres in the Stone Cabin Valley, bounded by the Monitor Range to the west and the Hot Creek Range to the east and characterized by steep mountains, salt-desert shrub/perennial grass foothills, and alkali valley bottoms. The major vegetation type in the vicinity of the project area is a mix of salt-desert shrub/perennial grasses and sagebrush shrubland.

The grazing system for the Stone Cabin Allotment was established with the 1982 Stone Cabin Partnership Allotment Management Plan (AMP) and grazing occurs in accordance with the area manager's final decision issued September 1989. The grazing system for the Willow Creek Allotment was established with the 1986 U.S. Forest Service Monitor Complex C&H Allotment AMP. Stone Cabin Ranch, LLC is permitted year-round grazing of 1,992 Animal Unit Months (AUMs) of cattle in Stone Cabin Allotment, and 341 AUMs of cattle from June 11 to October 10 in Willow Creek Allotment.

Other resources were examined when selecting proposed sites. None of the proposed locations impact riparian areas within either allotment. The entirety of the proposed action occurs within the Stone Cabin HMA. All sites are located outside of Wilderness Study Areas (WSA).

This Proposed Action is to authorize the permittee to temporarily place an above-ground pipeline and two water troughs for the purpose of improving distribution of livestock during drought. The temporary pipeline would join a permanent line where it runs beneath a road and be placed along the fence dividing the Willow Creek and Stone Cabin Allotments. The temporary above-ground pipeline would run approximately 6,441 feet, or 1.2 miles on the Willow Creek side of the boundary fence. A terminal trough would be placed on each side of the fence, approximately 100 feet from the fence, to make use of available forage in both allotments.

This action would allow for water to be transported via above ground pipeline to troughs in pastures that currently have few water sources. Under this Proposed Action, the temporary pipeline and two troughs will be approved. These sites have been selected based on previous disturbance along existing roads and fence line. All troughs will be equipped with wildlife escape ladders to prevent wildlife mortality.

Allowing the permittees to utilize temporary water sources would enable them to more effectively control the distribution of their livestock and reduce the risk of overgrazing in a drought-affected environment.

The TFO is intending to issue a Proposed Decision for the implementation of temporary pipeline and troughs. A DNA would be completed prior to the issuance of a Proposed Decision. This Proposed Action is in accordance with 43 CFR § 4120.3 and §4160.1-3, which describe the regulatory process to approve temporary range improvements.

This letter serves as the opportunity for the interested public, partners, and state, local, and tribal governments to provide comments on this Proposed Action within the Willow Creek and Stone Cabin Allotments. Please submit any comments in writing to the above address within 7 days of the date posted on this letter. If you have any questions, please contact Brian Truax, Rangeland Management Specialist at (775) 482-7830 or by email at btruax@blm.gov.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

New Business:

A- Consideration and possible action re: A Sending Site Application filed by the Eckert Family Trust for properties located at 1805 Norcutt Lane, 9295 Pasture Road, and farmland off of Pasture Road, Assessor's Parcel Numbers 006-111-25, 006-111-26, 006-111-27, 006-111-29 and 006-111-37, consisting of 262.88 acres with 220.08 acres of water rights in the A-10 zoning district, whereby the Applicant proposes to place a conservation easement on the property.

This Application is for approval of a Sending Site and Transfer of Development Rights calculation. The subject properties meet the 20-acre minimum parcel size for a Sending Site, have water rights, meet the zoning district requirements, and are located within the military operations buffer zone, as well as meeting the additional qualification of totaling more than 100 acres.

The Sending Site Review Committee reviewed the Application on June 21, 2021 and recommends approval of the Sending Site. The Committee recommended a total of 352 Transferable Development Rights (TDRs). The Planning Commission also recommended approval at their July 14, 2021 meeting.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Chris Spross, Public Works Director, made this presentation as outlined in the Agenda Report and stated above.

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

Commissioner Gregory Koenig made a motion to approve the Sending Site application for the Eckert Family Trust on properties at 1805 Norcutt Lane, 9295 Pasture Road, and adjacent farmland (APNs: 006-111-25, 006-111-26, 006-111-27, 006-111-29 & 006-111-37), consisting of 262.88 acres with 220.08 acres of surface water rights, based upon meeting the criteria for a Sending Site, and to approve 352 TDRs for the same properties. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

B- Consideration and possible action re: Application for a Sending Site Application by Robert E. Smith, Jr. for properties located at 7250 Curry Road and 3303 Gwinn Marie Court, Assessor's Parcel Numbers 006-553-37 & 006-553-41, consisting of 211.0 acres with 89.81 acres of water righted property in the A-10 zoning district, whereby the Applicant proposes to place a conservation easement on the property.

This Application is for approval of a Sending Site and Transfer of Development Rights calculation. The subject property meets the 20-acre minimum parcel size for a Sending Site, has water rights, meets the zoning district requirements, and is located within the military operations buffer zone, as well as qualifying for the additional benefit for totaling more than

100 acres.

The Sending Site Review Committee reviewed the Application on June 21, 2021 and recommends approval of the Sending Site. The Committee recommended a total of 195 Transferrable Development Rights (TDRs). The Planning Commission also recommended approval at their July 14, 2021 meeting.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Chris Spross, Public Works Director, made this presentation as outlined in the Agenda Report and stated above.

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

Commissioner Justin Heath made a motion to approve the Sending Site Application for Robert Smith, Jr, on properties at 7250 Curry Road and 3303 Gwinn Marie Court (APNs: 006-553-37 & 006-553-41), consisting of 211 acres with 89.81 acres of surface water rights, based upon meeting the criteria for a Sending Site; and (b) approve 195 TDRs for the same properties. Commissioner Gregory Koenig seconded the motion, which carried by unanimous vote.

C- Consideration and possible action re: Report from the Churchill County Sheriff regarding the number of deaths of prisoners in the county jail, which was zero for the period of April through June 2021.

Nevada Revised Statutes require a Report from the Churchill County Sheriff regarding the number of deaths of prisoners in the county jail and any known circumstances surrounding any such deaths. There were no such deaths at the jail for the period of April through June 2021.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

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

Commissioner Gregory Koenig made a motion to acknowledge receipt and review of the Report from the Sheriff. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

D- Consideration and possible action re: Modifications to job description and pay range for Laboratory Scientist, as well as authorization to hire at an advanced step, up to step 13.

In December of 2020, the board approved a class specification (job description) for a Laboratory Scientist and assigned it to Pay Grade 60. After that was adopted, the county recruited and eventually hired someone for the position. Afterwards, we were notified that our minimum requirements for the position did not meet the requirements set forth by the State of Nevada for someone who supervises the lab.

The county has now revised the class specification, referencing the state's requirements. Based on a higher level of education and experience, staff recommends placing the position at a higher Pay Grade. The recommended Pay Grade is Grade 63 (\$66,800 to \$89,900), the same grade that is used for the Community Health Nurse.

Based on the county's previous recruitment and on what staff has been hearing about recruitment for similar positions in the state, it is expected that recruitment for this position may prove challenging. Staff requests the ability to hire at an advanced step, up to Step 13, to be able to attract and hire a fully qualified individual.

FISCAL IMPACT: \$6,500 to \$37,600.

EXPLANATION OF IMPACT: The fiscal impact includes full-time wages and benefits (including health insurance and PERS) for a full 12 months. The low number represents the increase in costs if the county hires at the first step of Grade 63 (instead of Step 1 of Grade 60). The high number represents the increase in costs if the county hires at the 13th step of Grade 63 (instead of Step 1 of Grade 60).

FUNDING SOURCE: Grant funding.

ACTION REQUESTED: Accept

HR Director Stark made this presentation as outlined in the Agenda Report and stated above.

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

Commissioner Justin Heath made a motion to approve the updated class specification for a Laboratory Scientist, to assign it to Pay Grade 63, and to approve the hiring at an advanced step, up to Step 13. Commissioner Gregory Koenig seconded the motion, which carried by unanimous vote.

E- Consideration and possible action re: Approval of a proposal from Lumos & Associates to complete a boundary line adjustment for the county-owned parcels on Coleman Road (Assessor's Parcel Numbers 008-301-11 & 12) in the amount of \$7,905.

Churchill County owns both properties on Coleman Road, identified as Assessor's Parcel Numbers 008-301-11 & 12. These properties were acquired in order to plan for future development, including housing and construction of a road and bridge. In preparation for that design and work, staff is seeking to adjust the boundaries of those parcels.

FISCAL IMPACT: \$7,905.

EXPLANATION OF IMPACT: Cost of the work.

FUNDING SOURCE: General Fund.

ACTION REQUESTED: Accept

Chief Civil DA Ben Shawcroft made this presentation as outlined in the Agenda Report and stated above.

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

Commissioner Gregory Koenig made a motion to approve the proposal with Lumos & Associates as presented. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

Consent Items:

A- Consideration and possible action re: Building Department's Revenue Report for June 2021 totaling \$43,731.95 in revenue for the month.

The Building Department provides its Revenue Report June 2021 for the board's consideration and acceptance. The total of \$43,731.95 was received for the month.

FISCAL IMPACT: \$43,731.95

EXPLANATION OF IMPACT: Fees collected to help offset services provided.

FUNDING SOURCE: General Fund

ACTION REQUESTED: Accept

B- Consideration and possible action re: Transfer of funds to the City of Fallon, in the amount of \$939,567.05, from Regional Transportation Fund 280 for the Front Street Reconstruction Project (prior Fiscal Year).

The City of Fallon is requesting a transfer of funds for first and final payment in the amount of \$939,567.05, from Regional Transportation Fund 280, for the Front Street Reconstruction Project, utilizing Fiscal Year 2021 funds. These funds were previously encumbered and approved by the Regional Transportation Commission at the July 21, 2021 meeting.

FISCAL IMPACT: \$939,567.05 from Regional Transportation Fund 280-631-70800 (prior Fiscal Year).

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: Regional Transportation Fund 280-631-70800.

ACTION REQUESTED: Accept

C- Consideration and possible action re: Transfer of funds to the Churchill County Road Department, in the amount of \$250,000, from Regional Transportation Fund 280 and Public Transit Fund 395 (prior Fiscal Year).

The Churchill County Road Department is requesting a transfer of funds in the amount of \$250,000 for first and final payment of FY 2021 Road and Bridge Projects for the 4th quarter. The transfer is to be split 50/50 from Regional Transportation Fund 280 and Public Transit Fund 395, utilizing Fiscal Year 2021 funds. These funds were previously encumbered and approved by the Regional Transportation Commission at the July 21, 2021 meeting.

FISCAL IMPACT: \$125,000 from Regional Transportation Fund 280-630-85300 and \$125,000 from Public Transit Fund 395-881-85300 (prior fiscal year)

EXPLANATION OF IMPACT: As outlined.

FUNDING SOURCE: Regional Transportation Fund 280-630-85300 and Public Transit Fund 395-881-85300.

ACTION REQUESTED: Accept

D- Consideration and possible action re: Transfer of funds to the City of Fallon, in the amount of \$225,000, from Public Transit Fund 395 for the Front Street Reconstruction Project (prior Fiscal Year).

The City of Fallon is requesting a transfer of funds for the first and final payment, in the amount of \$225,000, from Public Transit Fund 395 for the Front Street Reconstruction Project, utilizing Fiscal Year 2021 funds. These funds were previously encumbered and approved by the Regional Transportation Commission at the July 21, 2021 meeting.

FISCAL IMPACT: \$225,000 from Public Transit Fund 395-881-70700 (prior Fiscal Year).

EXPLANATION OF IMPACT: As outlined.

FUNDING SOURCE: Public Transit Fund 395-881-70700.

ACTION REQUESTED: Accept

E- Consideration and possible action re: Treasurer's Report for June 2021 showing a balance of \$56,768,879.91 in the account.

Clerk/Treasurer Linda Rothery provides the Treasurer's Monthly Report for June 2021, which shows a balance of \$56,768,879.91 in the account. This report is provided for the board's consideration and acceptance.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

F- Consideration and possible action re: Report of the condition of each fund in the treasury and the statements of receipts and expenditures pursuant to NRS 251.030 and NRS 354.290.

A fund balance report is attached indicating the beginning balance, receipts, disbursements, and the ending balance of each fund for Churchill County as required by NRS 251.030 and NRS 354.290.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

G- Consideration and possible action re: Quarterly Report of Churchill County's Economic Condition to the Department of Taxation for the quarter ending June 30, 2021.

Provided for the board's review and consideration is the revised quarterly report that is prepared in accordance with the Nevada Administrative Code (NAC). This report has been revised by the Committee on Local Government Finance. The report must be submitted to the Department of

Taxation within 45 days of completion of the prior quarter. A signed copy will be forwarded to the department in a timely basis.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

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

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

Consider Future Agenda Items:

There were no future Agenda items suggested.

Commissioner and Management Staff Reports:

Chairman Olsen reported on the following topics:

- I Went to a Carson Water Subconservancy District meeting.
- We did a Rafter 3C groundbreaking kind of event. Thank you all for all the hard work that has gone into that.
- I had a Board of Health meeting.
- I had a NACO meeting. Dagny Stapleton is stepping down as Director.
- I had an Intergovernmental Executive Committee meeting with the Navy.
- Jim and I had a breakfast meeting with the City officials just to keep the lines of communications open and work together.

Commissioner Koenig reported on the following topics:

- I went to the Rafter 3C groundbreaking.
- I had a Board of Health meeting.
- I sat through a Zoom meeting on the Navy Expansion.
- It has been a quiet week as far as formal meetings.
- I talked to a lot of the public who had concerns about different things.

Commissioner Heath reported on the following topics:

- I went to the Rafter 3C groundbreaking.
- I had a Coalition for Senior Citizens meeting. They are hiring an auditor to go over financials.

Sheriff Hickox was not present. Captain Orozco reported on the following:

- They are working on new hires for the dispatch and deputy positions.
- They are working on a project for the jail.

County Manager Barbee reported on the following topics:

- The FEMA review of the flood plain continues to move forward.
- I have been working with the School District and the state on how the school will start with new mandates.
- The Rafter C3 building is moving forward. I want to complement Chris and the Public Works team and all the folks that are putting that together.
- I had a meeting with the managers and developers for Night in the Country. They had some interesting and exciting ideas that we could do over the wintertime.
- Some of our earmark requests are moving forward such as the \$5M to support the Coleman Road Project and the \$300K for the engineering for the water plant.
- Shannon and I went to the City Council meeting last week. We were surprised and honored for our work with COVID. It was very nice of the City to tip their hat to us.
- At the end of September, we will host the NACO Conference. We will have leadership from across the state here.
- The Defense Bill markup has been done. The requests by the Navy have not been included in that.
- Bob Erickson was identified by the City to be the new Chief of Staff. He will be assuming the role that Robert Erquiaga had.

Comptroller Wideman reported on the following topics:

- We are working on getting the year end work done.
- We got the CTX Sales Tax in for May.

Clerk/Treasurer Rothery was not in the meeting but Pam Moore reported on the following topics:

- I left you a copy of what our new Agendas will look like. We are resolving issues with the development of it now.

Claims and Payroll Transmittals:

The Claims and Payroll Transmittals were submitted for the board's consideration and approval.

Public Comment:

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


Adjournment:

The meeting was adjourned at 9:13 AM.

Approved:



H. Peter Olsen, Jr., Chairman


Approved: 

Greg Koenig, Vice-Chairman

Approved: 

Justin Heath, Commissioner

ATTEST:
Linda Rothery, Clerk/Treasurer



Renae Paholke, Deputy Clerk