

**JUNE 2, 2021**

The meeting was called to order at 8:30 a.m. by Larry Rackley, Chairman. Those present were Shayla Hudson and Carol Shank, Commissioners; Bryce Shields, District Attorney; Karen Wesner, Administrative Assistant; Lacey Donaldson, Clerk; and Justin Abbott, IT.

**APPROVAL OF MINUTES:** There were no minutes submitted for approval.

**PUBLIC INPUT:** There was no public input.

**REVIEW OF ALL AGENDA ITEMS TO DETERMINE IF ANY DO OR DO NOT IMPOSE A DIRECT AND SIGNIFICANT ECONOMIC BURDEN ON A BUSINESS OR DIRECTLY RESTRICT THE FORMATION, OPERATION, OR EXPANSION OF A BUSINESS:** Mrs. Shank made a motion that no agenda items impose a direct and significant economic burden on a business or directly restrict the formation, operation, or expansion of a business. Motion seconded by Mrs. Hudson and passed.

**UNCLASSIFIED DEPARTMENTS:**

**ROAD DEPARTMENT** – Dan Hill was present.

Mr. Hill reported that part of the crew has been working on moving the road at Coyote Creek. They will be finished up tomorrow. The other half of the crew was out by Limbo fixing a blown out road that C-Punch uses frequently. Trinity Canyon and Ragged Top also had washouts that have been repaired. Mr. Hill would like to get a cattle guard project completed and then they will be putting down Mag Chloride for the next 2-3 weeks.

Mr. Hill helped with the Coyote Creek project and has also been spraying weeds. He and Mr. Elerick went to Reno to look at a 1-ton. He also met with Stantec about the Landfill permit. They helped create a new map of the boundaries. Mr. Evans was a lot of help as well. Mr. Hill also helped out last minute with the Main Street clean-up by providing a loader. Mr. Hill spent three days over there. There was some gravel left over, so Mr. Hill spread it behind the Depot.

*Grant of easement for Sierra Pacific Power Company, dba NV Energy to install underground utility at 125 American Blvd., APN #007-241-81, Portillo:* Mrs. Shank made a motion to approve granting the easement for Sierra Pacific Power Company, dba NV Energy, to install underground utility at 125 American Blvd., APN #007-241-81, on the condition that it is reviewed and approved by the District Attorney. Motion seconded by Mrs. Hudson and passed.

*Salary Resolutions, R. Parish and W. Blondheim:* Mrs. Wesner stated that there was an error in the budget for Mr. Parish and Mr. Blondheim, so this just corrects that.

Mrs. Shank made a motion to approve the Salary Resolution for Robert Parish correcting his Classification to Range 27, Step 9 and the Salary Resolution for William Blondheim correcting his Classification to Range 30, Step 5. Motion seconded by Mrs. Hudson and passed.

**LANDFILL & RECYCLING** – Dan Hill was present.

Mr. Hill reported that the crew is dealing with the debris from the Main Street clean-up. The Road Department cleaned up the Grass Valley transfer site again.

Mrs. Shank stated that the Recycling Center is receiving lots of recyclables and Joe Crim has been doing the bailing.

**SENIOR CENTER** – Mr. Rackley reported that Ms. Dahilig is cooking today.

*Approval to advertise/hire Head Cook position and Cook I/II position:* Mrs. Hudson made a motion to approve advertising and hiring to fill the Head Cook and Cook I/II positions at the Senior Center. Motion seconded by Mrs. Shank and passed.

**BUILDINGS AND GROUNDS** – John Handka was present.

Mr. Handka reported that Big Meadow Cemetery continues to be vandalized. The repair work to the swimming pool started yesterday afternoon. The Buildings and Grounds crew cleaned it yesterday in preparation. Mr. Handka is also working with an electrician on the washer and dryer hook-ups at the Rye Patch Firehouse. The hot water heater isn't large enough, and the power needs to be upgraded. He is still working on the lighting as well. BSL is working at the Community Center today. The Car Show is this weekend and the Buildings and Grounds crew will mark all the sprinklers in the park. The NDF (Nevada Division of Forestry) prison crew cleared a fire break at the Unionville Cemetery. Mr. Handka stated that a large group of kids have been hanging out around the Courthouse steps. Mr. Shields suggested having a police officer come talk to them.

**FRONTIER DAYS COMMITTEE: REQUEST TO USE PARKING AREA AT WINDMILL PROPERTY FOR THE 2021 FRONTIER DAYS ACTIVITIES** – Sherri Stephens from the Frontier Days Committee was present.

Ms. Stephens stated that they have had issues with patrons parking at Safeway and taking all of their parking. The back of the Windmill has been used in the past.

Mrs. Shank made a motion to approve the request by the Frontier Days Committee to use the parking area at the Windmill property for the 2021 Frontier Days activities. Motion seconded by Mrs. Hudson and passed.

**UNCLASSIFIED DEPARTMENTS, CONT.D:**

**GRASS VALLEY FIRE** – Sean Burke gave an update via Zoom. They will be leaving the Burn Ban in place for a few more weeks. Their brush truck is still in the shop for repairs.

**COMMUNITY CENTER** – Mrs. Hudson stated that the new hire started yesterday. Mrs. Hudson thanked Mrs. Lusby-Angvick for working with Ms. Davis and continuing to help. There are two large graduation events this weekend, and then the NRA Dinner is mid-month.

**IT DEPARTMENT** – *Review of proposals from Internet Service Providers (SkyFiber, NNIS, AT&T and ATP) to provide Managed Network/Internet Connections services at Sheriff's Office (hub), Administration Building (spoke), Courthouse (spoke), and Annex Building (spoke) with a minimum of 50 Mbps/50Mbps (download/upload) from spoke to hub and minimum 100 Mbps/100 Mps from hub to public internet:* Mr. Abbot gave the Board proposals as follows:

NNIS	\$26,600.00
SkyFiber	\$53,151.00
AT&T	\$141,170.40

There was in depth discussion about the different bids and options. Mrs. Donaldson stated that, as a Department Head, faster internet is needed now.

Mrs. Shank made a motion to award the Internet Service Provider contract to provide Managed Network/Internet Connections to the Sheriff's Office, the Administration Building, the Courthouse and the Annex Building to NNIS as presented, noting that the County will proceed moving forward with a fiber connection through ATT. Motion seconded by Mrs. Hudson and passed.

**ECONOMIC DEVELOPMENT** – Mrs. Lusby-Angvick was present.

*Request for letter of support authorizing Affiliated Technology Partners (ATP) to negotiate and project manage new AT&T Internet Service orders for fiber and wireless broadband internet connectivity and infrastructure services:* Danny Bax from ATP was present.

Mr. Bax gave an overview of the different network connections and products that are available. Mr. Bax has given AT&T some preliminary information and they are currently working on updated pricing right now.

Mrs. Shank made a motion to approve writing a letter of support, authorizing Affiliated Technology Partners to negotiate and project manage new AT&T Internet Service orders for fiber and

wireless broadband internet connectivity and infrastructure services for Pershing County. Motion seconded by Mrs. Hudson and passed.

*Update; Brownfields Grant project update and status; Current status of economic development projects being built in Pershing County:* Mrs. Lusby-Angvick stated that she and Jan Morrison submitted their proposal for the new Regional Development Authority and the Governor's office did not like the name. Mrs. Lusby-Angvick is also working on submitting paperwork for the next round of the Brownfields Grant. Mrs. Lusby-Angvick also informed the Board that she would like \$10,000 from the American Recovery Funds to use for the Build NV Program. They need to hire an instructor for the next three years. The total needed is \$100,000 and she will be asking the other entities involved for funding as well.

PUBLIC DEFENDER – Mr. Cochran submitted his monthly case number report. Mr. Cochran spoke about the CEUs he is required to complete each year. He looked into hiring a case worker using COVID funds, but doesn't feel it is necessary. The office is running "business as usual".

**ELECTED DEPARTMENTS:**

LACEY DONALDSON, CLERK-TREASURER – Mrs. Donaldson reported that the Tax Sale ended last Tuesday, May 25<sup>th</sup> and was very successful. Out of 137 parcels, all but 12 sold. She should have the final accounting by Friday and will bring the information to the next meeting. Mrs. Donaldson also reported that staff is currently preparing the 1 year delinquent certificates and the Treasurer's Deed. The office's newest employee has resigned as of this Friday.

RENE CHILDS, RECORDER-AUDITOR – Mrs. Childs gave the Board the month-end reports and stated that the office is gearing up for year-end.

**PUBLIC HEARING ON PROPOSED ORDINANCE #347, AMENDING CHAPTER 2.12 OF THE PERSHING COUNTY CODE, THE PERSHING COUNTY ECONOMIC DEVELOPMENT AUTHORITY:** Mrs. Lusby-Angvick stated that as the board sits, she can't get a quorum. This amendment would decrease the membership from 9 to 7.

There was no additional public comment.

Mrs. Hudson made a motion to adopt Ordinance #347, amending Chapter 2.12 of the Pershing County Code, the Pershing County Economic Development Authority. Motion seconded by Mrs. Shank and passed anonymously.

**PUBLIC HEARING ON PROPOSED ORDINANCE #348, AMENDING CHAPTER 15.04 OF THE PERSHING COUNTY CODE BY ADOPTING THE 2018 INTERNATIONAL BUILDING CODE (IBC), THE INTERNATIONAL RESIDENTIAL CODE (IRC), THE 2018 UNIFORM MECHANICAL CODE (UMC), THE 2017 NATIONAL ELECTRICAL CODE, AND THE 2018 INTERNATIONAL ENERGY CONSERVATION CODE, ALONG WITH THE 2018 NORTHERN NEVADA AMENDMENTS TO SUCH CODES:** Mr. Evans was present.

Mrs. Shank asked for clarification regarding the frost depth. Mr. Evans stated that it will be reduced to 24" and will be up to the contractor to provide a soil sample if they are working in expansive soils. It was noted that the fees listed are our current fees. Mr. Evans also stated that our fees are the cheapest in the State.

Mrs. Hudson made a motion to adopt Ordinance #348, amending Chapter 15.04 of the Pershing County Code by adopting the 2018 International Building Code, the International Residential Code, the 2018 Uniform Mechanical Code, the 2017 National Electrical Code and the 2018 International Energy Conservation Code, along with the 2018 Northern Nevada Amendments to such codes. Motion seconded by Mrs. Shank and passed unanimously.

**ELECTED DEPARTMENTS, CONT.D:**

**LAUREEN BASSO-CERINI, ASSESSOR** – *Interlocal Contract between State of Nevada Department of Motor Vehicles and Pershing County/Pershing County Assessor, effective June 30, 2021 to June 30, 2023. The Board of County Commissioners will determine whether to approve this contract with a provision requiring that the DMV provide services for a minimum of 20 hours a week or, in the alternative, approve the contract without a provision requiring that the DMV provide services for a minimum amount of time each week:* Ms. Basso-Cerini was confused as to why the agenda item was changed without any additional input from herself. Mr. Shields stated that when they were developing the agenda, there was a concern that if there wasn't a minimum amount of time specified, that the office would be closed. Ms. Basso-Cerini stated that that language was removed from all contracts throughout the State. Mrs. Shank stated that she doesn't feel that the minimum hours need to be included in the contract, as long as there is an understanding with the Assessor that it is an important service to our community that should be open as much as possible. Ms. Basso-Cerini stated that she totally agrees that it is an important service, but with the other requirements of her office, there may not always be a backup for DMV.

Mrs. Shank made a motion to approve the Interlocal Contract between the State of Nevada Department of Motor Vehicles and Pershing County/Pershing County Assessor as submitted. Motion seconded by Mrs. Hudson and passed.

Ms. Basso-Cerini asked where the Board was at with increasing the Landfill fees. It was noted that the Board will hold a special meeting on June 8<sup>th</sup> at 8:00 a.m. to introduce a bill to increase the Landfill assessment.

**PLANNING & BUILDING DEPARTMENT / IMLAY WATER:** Mr. Evans gave the Board his monthly report. Mr. Evans also stated that the Planning Commission will be meeting tonight with three items for consideration: a parcel map, a Division into Large Parcels, and a reversion of acreage.

**APPEAL, REQUEST TO HEAR AN APPEAL FROM PENNY LEE PULSIFER TO OVERTURN THE DECISION TO DENY HER PARCEL MAP APPLICATION BY THE PLANNING COMMISSION ON MAY 5, 2021** – Mr. Evans stated that the Board should have a letter from the Division of Water Resources stating that there are water rights on this particular parcel for two acre feet a year for each parcel created. Mrs. Shank stated that all the parcels around the parcel in question are 20 acres, so she doesn't feel there are grounds for denial. Mr. Rackley and Mrs. Hudson agreed. Mrs. Shank also stated that she understands the Planning Commission's concerns regarding the water, but Ms. Pulsifer should have the same rights as her neighbors.

Mrs. Shank made a motion to over-turn the decision of the Planning Commission, which denied a Parcel Map Application submitted by Penny Lee Pulsifer to divide her 40 acre parcel into two (2) 20 acre parcels. Motion seconded by Mrs. Hudson and passed.

Mrs. Hudson stated that if the basin is over-appropriated, the Commission should look into placing a moratorium. She will reach out to the Humboldt River Water Basin Authority Board for more information.

**UPDATE ON PROGRESS OF SITE LOCATION, DESIGN, FUNDING, AMENITIES AND CONSTRUCTION OF FUTURE LAW ENFORCEMENT CENTER:** No report was given.

**PROCLAMATIONS AND AWARDS:** There were no Proclamations or Awards considered.

**DERBY FIELD AIRPORT:** No report was given.

**CARES FUNDING:** UPDATE/APPROVAL OF EXPENDITURES; UPDATE FROM EMERGENCY MANAGEMENT RELATING TO COVID-19; ACCEPTANCE OF FUNDS AND DISCUSSION REGARDING PRIORITIZING THE ALLOCATION OF THE COVID-19 AMERICAN RESCUE PLAN FUNDING FOR PERSHING COUNTY IN THE AMOUNT OF \$1,306,252.00 – The

Board listed the Rye Patch Firehouse expansion, and the Imlay Water System. Sean Burke submitted a request on behalf of all the fire chiefs for emergency medical response vehicles, which would take most of the funding. Mr. Rackley also mentioned the need for a larger water line to the Airport and needs at the Senior Center. Mrs. Childs asked if there would be a committee overseeing these expenditures. Broadband was also noted.

Mrs. Shank will draft a list for the Board's review at the Special meeting on June 8<sup>th</sup>.

**BOARD APPOINTMENTS/RESIGNATIONS:** GRASS VALLEY ADVISORY BOARD, CEMETERY BOARD, DEBT MANAGEMENT, MUSEUM BOARD, SENIOR CENTER ADVISORY BOARD, SOLID WASTE MANAGEMENT & RECYCLING BOARD, VOLUNTEER ADVISORY BOARD – Correspondence asking to be appointed or reappointed to the various boards were received from Penny Higby, Linda Workman and Lowell Henderson.

Mrs. Shank made a motion to reappoint Penny Higby to the Volunteer Advisory Board, Linda Workman to the Grass Valley Advisory Board and Lowell Henderson to the Recycling Board. Motion seconded by Mrs. Hudson and passed.

**KYLE B. SWANSON, ATTORNEY AT LAW:** REQUEST FOR APPROVAL TO RENEW 2021-2022 CONFLICT ATTORNEY CONTRACT IN THE AMOUNT OF EITHER \$53,580.00, WHICH IS THE PREVIOUS YEAR'S RATE OF PAY, OR \$55,140.00, WHICH WOULD CONSTITUTE A COST OF LIVING INCREASE – Mr. Shields received a letter from Kyle's office this morning asking that it continue at the same amount as last year. The contract runs from July 1 through June 30, 2022.

Mrs. Hudson made a motion to approve the renewal of the Conflict Attorney Contract with Kyle Swanson for FY2021-2022 in the amount of \$53,580.00. Motion seconded by Mrs. Shank and passed.

**ASSIGNMENT OF LEASE AGREEMENT WITH NILE VALLEY RACEWAY TO SILVER STATE RACING FOR THE NILE VALLEY RACEWAY IN CONSIDERATION FOR SILVER STATE RACING MAINTENANCE AND CONTINUED OPERATION OF THE NILE VALLEY RACEWAY:** Ed Macedo, Crystal Star and Roger Conley were present.

Mr. Macedo stated that Nile Valley had a 35 year lease. Mr. Shields stated that this lease would be a 1 year lease to evaluate the new tenants. Mr. Conley understands, but would like the lease to be a calendar year or June through November (at least through their season). The other issue is the "no alcohol" clause, as the track was allowed alcohol in the past. Mr. Shields stated that it reads, without a liquor license.

Mrs. Shank made a motion to approve the Lease Agreement with Silver State Racing for the Nile Valley Raceway as presented with a term of June 2, 2021 through December 31, 2022. Motion seconded by Mrs. Hudson and passed.

The meeting recessed at 10:55 a.m. for a Litigation meeting and reconvened at 11:05 a.m.

**PRESENTATION AND PROPOSAL FROM STAR 2 STAR FOR NEW PHONE SYSTEM FOR PERSHING COUNTY BUILDINGS:** Glen Ferriott from FCC Communications introduced Jason Lathrum and Bryan Simmons from Star 2 Star.

A presentation was given on Star 2 Star's company and the services they offer. Once Mr. Abbott obtains additional quotes, the award of the phone system bid will be placed on a future agenda.

Meeting recessed at 12:07 p.m. and reconvened at 1:29 p.m.

**REPORT FROM ADMINISTRATIVE ASSISTANT:** Mrs. Wesner reported that she finished up last of the BDRs. She is working with POOL/PACT regarding a survey for the Imlay grant. She will get the Department Head evaluation forms to the Board by next week.

**ITEMS FOR FUTURE AGENDAS:** Mrs. Shank asked if the Board wanted to discuss the information from Elko regarding a Resolution. Mr. Abbott is working on getting 3 vendors quotes for the phone systems for the next agenda. Mrs. Shank suggested advertising a permanent position for Buildings and Grounds.

**CORRESPONDENCE:** There was no additional correspondence discussed.

**BOARD MEMBER REPORTS, BOARD LIAISON REPORTS:** Mrs. Shank stated that Kurt Englewood will be in Lovelock on Monday. Mr. Englewood works for Senator Cortes-Masto. Mr. Rackley would like Mrs. Shank to bring up the water line to the Airport. Mrs. Hudson also stated the Imlay Water System. Mrs. Shank also reported that Safety meetings will start in August. The cemeteries are now being locked. The Pershing Health Care Foundation fundraising dinner will be on August 14<sup>th</sup> and she has tickets available.

Mrs. Hudson attended Humboldt River Water Basin Authority meeting. The need \$60,000 to seed the clouds in Elko and will be asking the counties to contribute. She also reported that the new Community Center person started yesterday, so hopefully that will be good. Mrs. Lusby-Angvick has been a tremendous help.

Mr. Rackley went to Salt Lake for a TV Board Conference.

**APPROVAL OF VOUCHERS:** Mrs. Shank made a motion to approve the vouchers, with the exception of a voucher for Vendor #521, BSL Electric. Motion seconded by Mrs. Hudson and passed.

Mrs. Shank made a motion to approve the voucher for Vendor #521, BSL Electric. Motion seconded by Mr. Rackley. Mrs. Hudson abstained. Motion carried.

**PUBLIC INPUT:** There was no public input at this time.

As there was nothing further to come before the Board, the meeting adjourned at 1:49 p.m.

Approved 07/07/21: \_\_\_\_\_/s/\_\_\_\_\_  
Larry Rackley, Chairman

Attest: \_\_\_\_\_/s/\_\_\_\_\_  
Lacey Donaldson, Clerk