

NEVADA ASSOCIATION OF COUNTIES (NACO)

Board of Directors' Meeting

January 22, 9:30 a.m.

Virtual Attendance Only

ADOPTED MINUTES

Attendance: President French, President Elect Kirkpatrick, Vice President Lucey, Past President Waits, Carson City Supervisor Giomi, Clark County Commissioner Jones, Douglas County Commissioner Gardner, Elko County Commissioner Andreozzi, Elko County Commissioner Steninger, Esmeralda County Commissioner Keyes, Lincoln County Commissioner Higbee, Lincoln County Commissioner Lister, Lyon County Commissioner Keller, Mineral County Commissioner Hall, Nye County Commissioner Strickland, Pershing County Commissioner Shank, White Pine County Commissioner Carson, NACO Fiscal Officer Kalt, Humboldt County Treasurer Lecumberry (Affiliate) and NACO Staff (Dagny Stapleton, Vinson Guthreau, Colby Prout and Amanda Evans)

The meeting was called to order at 9:30 a.m. by President French.

1. **Public Comment.** Nate Helton from Senator Rosen's office spoke about the ongoing confirmation hearings in Washington for the members of President Biden's cabinet and encouraged the Board members to contact the Senator's office with any questions or concerns. Dagny read a letter into the record at the request of the Nevada Department of Sentencing Policy, the letter was also included in the agenda packet. Lee Bonner of the Nevada Department of Transportation (NDOT) informed the Board that the State Rail Plan was almost completed and would be released for public comment, after which NDOT would hold a Summit for further discussion on the Plan.
2. **Approval of Agenda.** The agenda was approved on a motion by Commissioner Carson with second by President Elect Kirkpatrick.
3. **Investiture of the 2021 NACO Officers.** The 2021 NACO officers were administered the oath of office by Matt Chase, Executive Director of the National Association of Counties. Clark County Commissioner Marilyn Kirkpatrick was invested as President, Washoe County Commissioner Bob Lucey was invested as President Elect and Lincoln County Commissioner Varlin Higbee was invested as Vice President. All three newly invested officers thanked the Board for their support and expressed excitement at being able to work toward effective policy for Nevada's counties at both the state and national levels. Upon the completion of the ceremony, President Kirkpatrick took control of the meeting.
4. **NACO President's Report.** President Kirkpatrick welcomed the new Commissioners appointed to the Board and noted that the more information and cooperation is shared across county lines the stronger the counties are. She reappointed Past President French and Vice President Higbee to lead the Public Lands and Natural Resources Subcommittee and concluded her report by reappointing President Elect Lucey and Commissioner Shank to lead the Legislative Subcommittee.
5. **NACO Executive Director's Report.** Dagny welcomed the new members to the Board and expressed pride in what counties do and promised continued advocacy on behalf of counties. She informed the Board that work is being done with the Department of Health and Human Services and the fiscal division to obtain and discuss the projected assessments

to counties for the Medicaid Long Term Care federal match, the largest assessments the counties receive from the State. She informed the Board that contracts would be sent to the counties for the long-term care program and reminded them that the contracts for all 17 counties must be identical. She noted that the contracts would include caps and reminded the Board that the Indigent Accident Fund payments had been increased to help offset the payment of those assessments. Dagny informed the Board that the IAF payments for FY21 should be going out from the State soon. She reminded the Board of the upcoming virtual National Association of Counties Legislative Conference, giving an overview of the agenda, and concluded her remarks by reminding the Board of the need to appoint county members to the Sentencing Commission.

6. **Approval of Minutes of the December 18th, 2020 NACO Board of Directors Meeting.**

The minutes were approved on a motion by Past President French with second by Supervisor Giomi.

7. **Update from Moreton Asset Management on NACO's Investment Accounts, Andy Robbins, Chief Operating Officer.**

Mr. Robbins reminded the Board that he had been the Association's account manager since the transition to Moreton in April of 2020. He informed the Board that all of Moreton's accounts are institutional and most are local governments. Mr. Robbins gave the Board an overview of the account and its holdings. He noted that value of the account had increased by \$80,000 since the transition and that holdings are well allocated. Mr. Morten then gave the Board an overview of the investment economy, noting that there is no current expectation for an increase in interest rates. President Kirkpatrick noted that she was excited to see an investment manager engaged with the Association and the account. Fiscal Officer Kalt thanked Andy noting that the transition from Raymond James was smooth and that communication is excellent. Mr. Kalt also noted that the account and its holdings are fully in line with the Association's adopted Investment Policy. No action was taken.

8. **Recommendation of a Nominee for Appointment by the Governor for NACO's Seat on the Nevada Commission on Off-Highway Vehicles (NRS 490.067).**

Dagny gave an overview of the Commission and informed the Board that the appointment was necessary due to the retirement of the Association's former representative to the Commission, Ms. Sue Baker from Clark County. Dagny directed the Board's attention to the agenda backup for the letters of interest received. Past President French noted that all three applications were solid and that he felt it in the best interest of the Association to forward all three for the Governor's consideration. Commissioner Waits asked for clarification and Dagny noted that there were two applicants in the original agenda packet and a third from Nye County distributed the previous day. She also confirmed that none of the names had been submitted to the Governor. President Kirkpatrick noted that it is a particularly important Commission for the State as a whole and that it is important for NACO to have a strong voice on the Commission. Commissioner Lister inquired about the submission of only one name and President Kirkpatrick said that would be fine if the group to agree unanimously to one nominee. Supervisor Giomi noted that all three are strong applicants and that the nominees could fit in other categories for the Governor's appointment. The Board submitted Carson City Supervisor White, Humboldt County Commissioner Hill and Nye County Commissioner Strickland to the Governor for consideration on a motion by Past President French with second by Commissioner Waits.

9. **Discussion on COVID-19 Response and Related County Activities, Caleb Cage, Nevada COVID-19 Response Director and Julia Peek, Deputy Administrator, Nevada Division of Public and Behavioral Health (DHCFP).**

Director Cage gave the Board an overview of

the current metrics of the pandemic in Nevada, including case rate, hospitalizations, and deaths. He noted that there is a five-week cycle where increases in case rates result in increased hospitalizations and deaths. He informed the Board that Northern Nevada is seeing a declining trend in all the measured metrics and that Southern Nevada appears to be starting a declining trend as well. Director Cage also noted that Northern Nevada hospitals currently have adequate staffing levels but that Southern Nevada hospitals are still having issues with staffing levels. Mr. Cage concluded his remarks by informing the Board that the Legislative Council Bureau (LCB) is dispersing information to the State's various agencies on Legislative vaccination efforts. Ms. Peek updated the Board on the statewide vaccination effort. She noted that the process is challenging and discussed the importance of the role in local government to facilitate the process, specifically the partnerships between the State, counties, local public health agencies, emergency management officials and private partners. She informed the Board that DHCFP is working hard to stand up partnerships with pharmacies to administer the vaccine, noting that the pharmacies can order from their own allocations of the vaccine which will bring more doses to the state. Ms. Peek acknowledged that the data entry associated with vaccination is a challenge and that there is a team member assigned to each county to assist in this process. She informed the Board that the State had received a \$27 million dollar grant award that will assist in hiring nurses to administer the vaccine, stand up a statewide call center, purchase a registration tool for counties that do not have one and discussed the awards requirement to stand up a minority equity health taskforce. Ms. Peek also discussed the difficulty with the current situation surrounding the State's weekly vaccine allocations and noted that 2nd doses are being held back at the federal level until the required time between doses has passed, adding to the confusion about available doses. President Kirkpatrick noted that the State is currently getting allocations that allow for the vaccination of less than 1% of the State population and noted Mr. Helton's encouragement to reach out to Senator Rosen's office. She encouraged the Board to reach out to the Delegation and advocate to a change in the CDC distribution formula. The call center Ms. Peek discussed was questioned and she clarified that the call center would be going live the following Tuesday and would provide callers with county specific vaccination information and be able to help schedule appointments. President Elect Lucey inquired as to how to provide integrate outreach and communications. Ms. Peek noted that training is occurring for those in the call center and each county has a dedicated script, which had been developed in concert with county officials. Additional discussion occurred with regards to the vaccine allocation and it was noted by Director Cage that the allocations are 100% federally driven, but that the new administration's plans are being developed and they are hopeful for a change in the allocations. A letter to the Delegation from the Association was discussed to encourage additional distribution to the State. Candace McDaniel from the State Department of Public and Behavioral Health informed the Board that they are very appreciative of all county efforts and noted the need to show that the vaccine supply is not meeting the demand. President Kirkpatrick informed the Board that Ms. McDaniel works hard to ensure that supply that is received is distributed equitably. Commissioner Lister inquired as to if antibody testing was being completed prior to vaccine distribution. Ms. Peek informed the Board that it is not being done because they do not know all of the nuances of the virus, the rates of reinfection etc., but did note that the current CDC recommendation is to wait 90 days for an infection to resolve prior to vaccination. By consensus of the Board, staff was directed to work with Director Cage on a letter to the Delegation regarding the importance of additional vaccine allocations to the State.

- 10. Review and Discussion of NACO's Draft Federal Policy Priorities for 2021.** Dagny reminded the Board that meetings are usually scheduled with the Nevada Congressional Delegation during the NACo Legislative Conference in Washington DC. In lieu of traveling to

the now virtual event, she inquired as to the Board's appetite to schedule Zoom meetings with the Delegation for discussion of broader issues and policies, noting that those with singular county issues could schedule meetings individually. President Kirkpatrick noted that having face to face interaction with the Delegation is important and Past President French noted that the meetings are one of the most productive reasons to make the yearly trip to Washington. President Kirkpatrick suggested using the same dates as the Conference and scheduling the meetings. Dagny suggested that Tuesday and Wednesday seem to be the best days for the Delegation, reminding the Board that the meetings will depend on the Congressional calendar and that all attempts would be made to schedule the meetings around the standing Board of County Commission meetings. Vinson gave an overview of the document included in the agenda packet. He noted that traditionally the draft is discussed in January and brought back for final approval in February. He informed the Board that he needed information on how many counties had applied for FEMA pandemic relief funds for discussion purposes. President Kirkpatrick stated that part of that discussion needs to include a timely response for distribution of those funds, noting that Clark County had still not received funds approved for 1 October. Commissioner Andreozzi requested an email outlining exactly what information was being requested and Vinson confirmed that a message would be drafted and sent to the Board. Vinson then discussed changes from the 2020 document, including updates to the Public Lands and Natural Resources section approved by the Subcommittee the previous day. President Kirkpatrick inquired as to the inclusion of a public health funding component and Commissioner Andreozzi suggested the inclusion of the encouragement of US manufacturing of medications in the component. The draft will be presented to the Board in February for approval. Staff was directed by consensus to schedule meetings with the Delegation.

11. **Update on NACO BDRs and Other Policy Issues Affecting Counties Leading into the 2021 Session of the Nevada Legislature.** President Elect Lucey, Chair of NACO's Legislative Subcommittee, urged new Commissioners to participate on the Committee, noting that Legislative advocacy is one of the best parts of NACO. He noted that the Legislative building was closed to all but Legislators, staff and a few members of the media, and that would be challenging at the start of the Session. He remarked about the need to watch budgets closely, noting that cuts across the departments of the State, could result in unfunded mandates pushed down to the counties. An overview was given of the Association's bills which include changes to the property tax formula, codifying the paternity process in child welfare proceedings, the training of new legislators and the allowance for appointment to more than one Governor-appointed board. Dagny discussed a bdr that would allow each county to create an office of county council, noting that it would allow for the creation of an office independent of the DA, and further clarified that is enabling language only, not a requirement. Commissioner Waits expressed support for the measure, citing previous issues in Lander County. Commissioner Strickland also expressed support for the enabling language, as did Commissioner Gardner, who noted that, while Douglas County does not necessarily need the measure, he would like to have the option. The Board indicated support for the measure by consensus. Dagny brought the Board's attention to a measure proposed by Eureka County that is currently in BDR form and invited Eureka County Natural Resources Manager, Jake Tibbetts to further explain the proposal. Mr. Tibbetts informed the Board that the intent of the proposal is to allow counties who are under cooperating agency status with federal land management agencies – which require a memorandum of understanding (MOU) often including a non-disclosure agreement – to receive full Commission updates from the agencies in closed sessions of public meetings. The proposal is similar to the exemption for litigation discussions in the Open Meeting Law and all communications would become public upon expiration of the MOU. The Board was in support of the intent and requested further discussion when the

language is available. Commissioner Hartung brought up the fact that Nurse Practitioners are allowed to practice outside the supervision of MD's, but that Physicians Assistants (PA's) are not, even though they have more education; causing many to leave the state. He noted that a change in that policy might be beneficial to the rural counties. President Kirkpatrick informed the Board that a bill was brought forward in 2007 to allow this but that it received opposition from the Rurals, who were concerned about the oversaturation of PA's and potential to result in a lack of MD's. Dagny suggested bringing the topic back to the Committee for further discussion. No action was taken.

12. Update and Possible Action Regarding Natural Resources and Public Lands Issues Affecting Counties Including:

- a. Updates from the Public Lands and Natural Resources Subcommittee.** Colby gave an overview of the Subcommittee's meeting the previous day, noting that many items of discussion had been covered under other agenda items. He informed the Board that the group had been asked to participate in an update to the State's outdoor recreation plan. Other items of discussion included access to Broadband, and an update to the regulations for migratory birds. The Board was reminded that the State had filed as an intervenor in legal actions regarding the Greater Sage Grouse and that with the Biden administration suspending rulemaking, the item would be brought back to the Board as developments arose. Past President French informed the Board that he had been reappointed to the BLM's Wildhorse and Burro Advisory Committee, noting that with the appointment of Dr. Ursula Bechert, Nevada now has two representatives on the Board.
- 13. NACO Committee of the Emeritus Update.** Vinson informed the Board that Past President French will be the Chair of the Committee for 2021. He informed them that the Nominating Committee had submitted their list of names to President Kirkpatrick for approval. Following approval, the nominees will be sent invitations to join the Committee and a final list of Committee members would be provided to the Board in February.
- 14. National Association of Counties Board Member Updates.** President Kirkpatrick noted discussion at the Board level include ensuring the Delegation understands that the CDBG formula will not work for coronavirus relief fund distribution and emphasizing challenges to local governments in providing for public health and transportation issues. She encouraged participation at the national level and noted that Nevada is elevated within the organization in Washington.
- 15. Western Interstate Region Board Member Updates and Updates from National Association of Counties' Policy Steering Committee Members.** Past President French informed the Board that discussion at the WIR level include the full funding of PILT and possible changes to its distribution formula, Broadband and COVID relief.
- 16. NACO Board Member Updates.** The Board members gave updates on activities within their counties.
- 17. Public Comment.** Commissioner Lister stated that Lincoln County had approved a resolution regarding election principals they would be advocating for at the State level and that if requested, the resolution would be shared.

The meeting was adjourned at 12:34 p.m.