

## **NEVADA ASSOCIATION OF COUNTIES (NACO)**

Board of Directors' Meeting  
June 25, 9:30 a.m.  
Carson City Community Center  
Robert 'Bob' Crowell Board Room  
851 E. William St.  
Carson City, NV

### **ADOPTED MINUTES**

**Attendance:** President Kirkpatrick, Past President French, WIR Representative Steninger, Carson City Supervisor Giomi, Churchill County Commissioner Olsen, Clark County Commissioner Gibson, Douglas County Commissioner Gardner, Elko County Commissioner Andreozzi, Esmeralda County Commissioner Keyes, Eureka County Commissioner Goicoechea, Lincoln County Commissioner Lister, Lyon County Commissioner Keller, Mineral County Commissioner Hall, Pershing County Commissioner Shank, Washoe County Commissioner Hartung, White Pine County Commissioner Carson and NACO staff (Dagny Stapleton, Vinson Guthreau, Colby Prout and Amanda Evans)

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

1. **Public Comment.** Kurt Englehart from the Office of Senator Cortez Masto provided his contact information to the Board. Emily Lande-Rose from the Office of Senator Rosen informed the Board of the departure of Nate Helton from the Senator's staff and informed the Board that she would be filling in until a replacement is found. Mary Kerner from the Rural Nevada Development Corporation informed the Board that her office has small business recovery funds available and thanked members of the Board for directing businesses in need to their office.
2. **Approval of Agenda.** The agenda was approved on a motion by Commissioner Goicoechea with second by Commissioner Lister.
3. **NACO President's Report.** President Kirkpatrick informed the Board of a portal available on the Governor's website that is collecting ideas on how the State should spend its COVID-19 recovery funds. She encouraged the Board to utilize the portal and focus on suggestions to benefit the whole state, such as Broadband infrastructure and drought mitigation efforts. She reminded the Board that a Special Session of the Legislature is expected in August to address the allocation of the funds and reiterated that State dollars should be spent on infrastructure items before counties allocated dollars to those projects. President Kirkpatrick then expressed concerns with AB385, which limits fringe benefits that can be placed in contracts that are not performance related. She discussed the importance of some of these types of benefits for contract employees such as County Managers and informed the Board that Clark County is working with their attorneys to discover exactly what the limitations are and will share their findings with the Board.
4. **NACO Executive Director's Report.** Dagny discussed the Medicaid Match Assessment contracts, reminding the Board that they must be identical for all 17 counties per Federal regulations. She informed the Board that the draft contracts distributed to the counties for the Biennium are not final and should not be brought before the individual Commissions for approval, noting that final language is still be worked on for the contracts. She then discussed the Department of Indigent Defense Services and reminded the Board that NACO

had fought hard at the Legislative level to hold counties harmless for additional costs associated with Indigent Defense. She informed the Board that it is critical for counties to track the costs associated with Indigent Defense and that they will need to work closely with their courts to determine those costs. She reminded the Board that funding had been allocated by the Legislature to reimburse counties for costs over and above the limits placed by the 2019 Legislation and suggested placing a line item in their budgets to assist with the tracking of those costs. Commissioner Lister informed the Board that Lincoln County had reported their total costs for their Public Defender, which had skewed the County's baseline number and noted that the submitted reports can be amended. Dagny informed the Board that the China Spring Working Group had been assembled and had a good first meeting, noting that the Group will meet monthly and regular reports will be brought before the Board. She reminded the Board of the upcoming National Association of Counties (NACo) Annual Conference and gave an overview of the process for voting for the 2<sup>nd</sup> Vice President of the Association, noting the importance of the assigning of delegates by the counties. Vinson then discussed the upcoming redistricting process. He noted that the process had been delayed by the release of Census information and that the Legislative Council Bureau (LCB) will be having a training for counties on how to address the process. Vinson noted that the data is expected to be released on August 16<sup>th</sup> and that when the map modification process is completed by the LCB, that the maps will be available to local governments. He then referred the Board to the link included in the agenda packet for additional information. Vinson described AB413 which formed a working group to address transportation funding issues. He noted that a working group had been formed by previous legislation, but the pandemic had not allowed the group to complete their mission. Vinson informed the Board that the appointments to the working group are approved by the Department of Transportation, not the Governor, and the group is expected to meet monthly. He told the Board that he is acting as the NACO representative, but that the Department has requested an alternative appointment. Vinson encouraged the Board to put forth names to staff for the alternative position but cautioned them that the meetings last for an entire day and the alternate member is expected to attend all the meetings. He concluded the discussion on the working group by informing the Board that a report of the working groups findings must be submitted to the Legislature in December of 2022. President Kirkpatrick then closed the item by discussing a study group created by the Legislature to discuss COVID-19. She cautioned the group that the tasks of the study group, and the information they are expected to collect, are already covered under the Department of Emergency Management's After-Action Reports and as such are already documented.

5. **Approval of Minutes of the May 21, 2021 NACO Board of Directors Meeting.** The minutes were approved on a motion by Commissioner Hartung with second by Past President French.
6. **Discussion of the Departure of NACO Executive Director Dagny Stapleton Including Transition and Hiring Plan.** Dagny thanked the Board for the support during her 8-year tenure at NACO. She noted she was honored to serve Nevada's counties and that leaving was a very hard decision for her to make. She told the group that she was committed to leaving the organization with strong leadership and ensured a smooth transition. She referred to the position announcement included in the agenda materials, noting that staff was prepared to post the announcement that day if it was approved, noting the plan is to conduct interviews in July. President Kirkpatrick stated that she was sad to see Dagny leaving, but that she was excited to see what Dagny would next. She informed the Board that the Executive Committee had met with Dagny and that Committee though it was a good time to do a wider search and see what kind of candidates are looking for positions in local government, she also encouraged Vinson to apply for the position. Commissioner

Goicoechea noted that the announcement was comprehensive and that he also supported Vinson in applying but that it is good to know what kind of candidates are out there. Several other members of Board thanked Dagny for her service to the organization and wished her well going forward. The plan for the ED search, including the Position Announcement and its posting were approved on a motion by Commissioner Goicoechea with second by Commissioner Carson.

7. **Discussion of Upcoming NACO Board of Director's Meeting Dates and Locations.**

President Kirkpatrick reminded the Board that they had previously approved having a meeting in Clark County in July. She discussed the excessive heat the area has been experiencing and issues that have come up with travel, specifically airline travel. Several Commissioners noted conflicts with being able to attend the meeting as proposed. President Kirkpatrick then informed the Board that she and Past President French had been trying to work out a date to celebrate his year as President, but that one was unavailable that met with everyone's approval. She then informed the Board that they had agreed to a "Super Bash" to celebrate both their tenures as President of NACO during the Annual Conference. Commissioner Lister noted that the Public Lands and Natural Resources Subcommittee traditionally meets on Thursdays prior to the Board Meetings and inquired as to the group's appetite for the Subcommittee to meet earlier in the morning and push the Board meeting to later. It was suggested that the Subcommittee discuss the option going forward before any plans were made to permanently change the meetings. The Board approved the July meeting maintaining its currently approved Thursday date, being held in Carson City at 10:00 a.m., with the Subcommittee meeting taking place at 8:00 a.m. by consensus.

8. **Recommendation of Nominees to Serve on the Board of Trustees of the Fund for Hospital Care to Indigent Persons (IAF).**

Dagny gave the Board an overview of the IAF and how the program utilizes the property tax collected by the counties. She informed the Board the current members of the IAF Board are Chair, Humboldt County Commissioner French; Vice Chair, Eureka County Commissioner Sharkozy; Clark County Commissioner Jones; Pershing County Commissioner Shank, and Clark County Human Services Administrator, Tim Burch. Dagny informed the Board that Commissioner's French and Shank and Human Services Administrator Burch had requested reappointment. Clark County Commissioner McCurdy had indicated the desire to be appointed to Commissioner Jones seat and Carson City Supervisor Giomi had requested appointment to Commissioner Sharkozy's seat. Dagny then informed the Board that statute requires the submission of six Commissioners and three Human Services representatives to the Governor for consideration. Commissioners Andreozzi and Carson indicated willingness to be put forth and Dagny informed the Board that Human Services Administrators Mary Jane Ostrander from Carson City and Shayla Holmes from Lyon County had also consented to be put forth. The Board voted to put forth all Commissioners and Human Services Administrators as discussed on a motion by Commissioner Hall with second by Commissioner Gardner.

9. **Recommendation of One Nominee Who Resides in a County Whose Population is Less than 100,000 to Serve on the Board on Indigent Defense Services.**

Dagny informed the Board that the nomination was needed due to the resignation of former Nye County Commissioner Lorinda Wichman, and that Commissioner Hall had expressed interested in serving on the Board. Commissioner Lister noted that he believes the Commissioner Hall will be a good addition to that Board. Commissioner Hall's nomination was approved on a motion by Past President French with second by Commissioner Lister.

10. **Discussion and Possible Approval of a Contract to Purchase and Install Video Conferencing Equipment in the NACO Board Room.**

President Kirkpatrick informed the

Board that she had requested the item be placed on the agenda. Dagny informed the Board that the current system is out of date and not usable, thanking Carson City for their support and allowing the NACO meetings to be held in their facilities with remote attendance capabilities. Dagny then informed the Board that staff had worked diligently to find a contractor that could accommodate the Association's needs and the contract included in the agenda materials realized cost savings by utilizing components from the current system. President Kirkpatrick informed the Board that the Executive Committee had approved the submission of a down payment for the work, as components are currently very hard to obtain. Commissioner Goicoechea inquired as to if the new system would work across multiple platforms, and not be limited to one as the old system had been. Dagny clarified that the proposed system is completely web based and will accommodate multiple platforms such as Zoom etc. The contract was approved on a motion by Commissioner Goicoechea with second by Supervisor Giomi.

11. **Discussion and Possible Approval to Accept a Grant from the Nevada Department of Public and Behavioral Health to Assist Counties with Public Health and Addiction Recovery Infrastructure.** (Ms. Julia Peek was unable to join the meeting as expected due to her required attendance at another meeting. This item was taken out of order to accommodate Ms. Peek's necessary attendance, by consensus of the Board.) Dagny gave the Board an overview of the item, noting that the grant for the position is federal dollars from the CDC in the amount of \$300,000 for two years. She informed the Board that the intent is to bring on a staff person at NACO to assist counties in identifying needs and implementing programs, such as possible regionalization of services, behavioral health services, and standing up programs with opioid settlement dollars. Ms. Peek addressed the Board and thanked NACO as a critical partner in the response to the COVID-19 pandemic. She noted that when she learned of the funding, she immediately thought of NACO as the best partner in utilizing the funding for the most impactful, advantageous, and successful outcomes for public health across the state. Ms. Peek discussed the position being responsible for assessing and addressing foundational infrastructure, assessments, funding, and statute changes among other duties, and again noted that NACO is the most appropriate partner for the State to be successful in this mission. Commissioner Andreozzi stated that the proposal is a good endeavor and spoke to Elko County's challenges in determining what non-profit organizations are providing what services, as they change frequently due to grant funding. He also discussed challenges in access to mental health services. Supervisor Giomi agreed with Commissioner Andreozzi and suggested that the scope for the position specifically call out coordination with non-profit organizations. He also stressed the need to ensure that the work done is integrated in a whole of government approach, including law enforcement and first responders, to ensure that planning isn't conducted in a silo model. President Kirkpatrick requested clarification that the position would be held under NACO to work with the State and noted that she agreed with the comments of Commissioner Andreozzi and Supervisor Giomi. Ms. Peek stated that the funding is provided under a workforce grant, the position would be a staff member of NACO and when the grant expires the position would end. Commissioner Carson reflected on the benefits the position would provide, especially for some of the more rural counties that are considered to be 'frontier'. Commissioner Andreozzi expressed hope that one task of the position would be to take inventory of and find gaps in behavioral health issues in jails. Commissioner Steninger requested clarification of the budget document included in the agenda packet. Dagny informed the Board that she had worked with Fiscal Officer Kalt on the document and the three columns are different salary options to be chosen from based upon the qualifications and experience of the person chosen for the position. President Kirkpatrick noted that the end goal is to do the work to allow the counties to stand alone and stressed that no commitments for county funding be included in any proposals. She then inquired as to how

soon the position could begin. Ms. Peek informed the Board that the Interim Finance Committee had approved the grant funding and the dollars could begin being released as early as July 1<sup>st</sup> and Dagny noted that the hiring process would begin as soon as possible upon approval by the Board. The acceptance of the grant and approval of the temporary position were approved on a motion by Commissioner Carson with second by Commissioner Andreozzi.

**12. Summary of Outcomes from the 2021 Legislative Session.** Dagny referred the Board's attention to the final Bill Tracker and Legislative Summary included in the agenda packet. She informed the Board that over 1,000 bills had been released during the Session and NACO had tracked approximately half of those bills. She thanked staff, the Board, and the Legislative Subcommittee for their efforts during the session gave the Board an overview of the outcomes of the Session. Three of NACO's four bills were approved, bills with fiscal impacts to counties were worked on as were bills relating to justice reforms. She requested that counties track the fiscal impacts of the justice reform legislation, specifically relating to initial court appearances and bail reforms as staff will need that information to address fiscal impacts in the next Session. State assessments to counties were discussed and it was noted that there were increases to rural child protective services assessments, final county assessments from the State will be distributed when received. Vinson addressed actions required by counties due to legislative actions and referred to the document included in the agenda packet. He also thanked the county lobbying team for their hard work, especially given the unique way the Session was conducted with severely limited access to the building and Legislators. President Kirkpatrick also praised the county lobbying team's work to lessen the impacts of proposed legislation. Commissioner Andreozzi inquired as to the effective date of the bill that limits fringe benefits for contract employees. He also discussed the work done by the mining industry to introduce and pass a bill that effectively killed the proposed resolutions that would have seriously affected the industry and county revenues. He noted that education funding is important but there needs to be accountability for how those dollars are spent, he also referred to the cannabis dollars for education. It was clarified by Vinson that AB385, regarding contract benefits, does not go into effect until December of 2022 and is not retroactive. Dagny informed the Board that she had worked on amendments to the bill that had some things taken out and the League of Cities had been successful in having the effective date pushed back. Dagny concluded the item by also noting that staff had worked with the mining association to ensure that county Net Proceeds were not affected by the passage of AB495. No action was taken.

**13. 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 informed the Board that the Subcommittee had discussed the rule review period ending due to the change in the Administration and noted that the various agencies intentions are slowly being revealed. He also discussed the Fish and Wildlife Service's announcement on a series of rescissions, revisions, etc. that would be released on the Endangered Species Act and the directive of President Biden to remand a new Waters of the US rule consistent with prior court decisions and comments, reminding the Board that all proposed rule changes would have comment periods. Past President French discussed the possibility of Board action regarding the issue surrounding wild horse and burros. He noted the severe impacts the drought is having on rangelands and the ever-increasing critical condition of the horse and burro populations. He noted that the BLM is currently hauling water to the animals and that those that do survive the summer will face a severe lack of

forage in the winter. He then discussed the Department of Wildlife's efforts to protect critical wildlife habitat areas from the horse's and release of depredation tags to help manage herd populations for the best outcome based on lack of water and forage. Past President French then noted that at the recent meeting of the BLM Wildhorse and Burro Advisory Board discussed the perfect storm for a catastrophic die off of animals due to the drought that is currently occurring. He then discussed the letter currently circulating in Washington that proposes to eliminate the BLM's adoption program. President French then suggested the drafting of a letter to the Federal Delegation that describes the impacts from wild horse and burro overpopulation and mismanagement, , encourages coordinated efforts to minimize the impacts to wildlife, and stresses that the impacts are broader than just to rangelands and the ranching industry. President Kirkpatrick supported the drafting of a letter and suggested reaching out to NACo for additional assistance with the issue in Washington DC. Commissioner Lister suggested the inclusion of the moral impacts of the current situation, specifically noting that those in Washington are not having to watch the deterioration, starvation, dehydration, and death of the animals on the ground. Commissioner Goicoechea agreed with Commissioner Lister and suggested the inclusion of support for BLM State Director Raby's 5-year plan. The drafting of a letter was approved on a motion by Commissioner Steninger with second by Commissioner Lister.

14. **NACO Committee of the Emeritus Update.** Vinson informed the Board that the Committee had met on June 4<sup>th</sup> discussing topics for the Committee workshops held during the interim, those topics included a legislative update, redistricting and the usage of American Rescue Plan Act (ARPA) funding. It was noted that staff is currently working on a workshop on uses of ARPA as there is a firm deadline for counties to submit their plans for usage of the funds. The Committee also discussed the Legislative Summary and Annual Conference educational session ideas. The next meeting of the Committee is scheduled for August 13<sup>th</sup>. President Kirkpatrick encouraged to look at content for the passage of AB1, NACO's bill that requires training on local government for new Legislators. Vinson noted that is a great idea and that resources already exist to assist with those efforts. He also informed the Board that the LCB had stated, on the legislative record, that they would work with, and perhaps defer to, NACO on the content of the training.
15. **Updates from Members on the National Association of Counties Board, Western Interstate Region Board (WIR), and Individual Counties.** NACo Board Member, President Kirkpatrick informed the Board that she had recently met with the Labor Secretary and that she is working on obtaining \$100 million for statewide workforce training, she also asked him about speaking at the upcoming NACO Annual Conference, and he assured her he will consult with his schedule. President Kirkpatrick also discussed the upcoming National Annual Conference and the multitude of updates being released from Treasury on the ARPA funding. WIR Board Representative, Commissioner Steninger informed the Board that he had attended a meeting in May and that the group had elected new officers and discussed the 30 by 30 plan, which he encouraged the Public Lands and Natural Resources Committee to discuss for possible future action by the Board. Commissioner Steninger also discussed a tour which centered around forest thinning and subsequent wildfire behavior and noted that he had attended several talks given by Federal Agency Officials. Updates on activities within their counties were given by other members of the Board.
16. **Public Comment.** Linda Bissett informed the Board that she was retiring from NV Energy on July 9th and thanked them for their support during her tenure.

The meeting was adjourned at 11:46 a.m.