

NEVADA ASSOCIATION OF COUNTIES (NACO)

Board of Directors' Meeting
October 18th, 2019, 9:30 a.m.
NACO Office
304 S. Minnesota Street
Carson City, NV 89703

ADOPTED MINUTES

Attendance: President Waits, President Elect French, Douglas County Commissioner Walsh, Lander County Commissioner Allan, Lincoln County Commissioner Higbee, Mineral County Commissioner Price, Nye County Commissioner Wichman, Storey County Commissioner Gilman, Washoe County Commissioner Hartung and NACO Staff (Dagny Stapleton, Vinson Guthreau, Colby Prout and Amanda Evans)

Remote Attendance: Elko County Commissioner Dahl, Eureka County Commissioner Goicoechea, Pershing County Commissioner Shank, Washoe County Commissioner Lucey and Kathy Lewis, Nevada Association of Clerks and Election Officials.

Other Attendance: Elko County Manager Rob Stokes; Bill Brewer, Nevada Rural Housing Authority; Brad Crowell, Dominique Etchegoyhen and Jim Lawrence, Nevada Department of Conservation and Natural Resources (DCNR); Marla McDade Williams, Strategies 360; Dr. Ivory Lyles and Holly Gatske, University of Nevada Cooperative Extension; Travis LaChapelle and Emily Lande, Office of Senator Rosen; Linda Bissett, NV Energy; and Lee Bonner, and Jamie Cooper, Nevada Department of Transportation (NDOT)

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

1. **Public Comment.** Lee Bonner of NDOT introduced Ms. Jamie Cooper to the Board. Ms. Cooper has joined NDOT as the replacement for Murph Glover to work with rural counties. He also informed the Board that the workshops for county transportation projects will be pushed to the spring to allow for the approval of work programs by the Governor and the Transportation Board. He also informed the Board that the Department is also working on an update of the State Rail Plan.
2. **Approval of Agenda.** The agenda was approved on a motion by Commissioner Price with second by Commissioner Allan.
3. **NACO President's Report.** President Waits remarked on the success of the recent Annual Conference and thanked NACO and Washoe County staff for their work on the event. She included remarks on the Caricature that she was presented during the President's Reception and noted her pleasure at the opportunity to raise awareness for the state's no-kill animal shelters and law enforcement K-9 programs. She informed the Board that Ormat had donated \$2,500 for distribution to the animal shelters. She discussed the Summit that had been held the previous Monday by the Nevada Department of Wildlife and NDOT to discuss plans for wildlife over/underpasses to help prevent wildlife vs. vehicle accidents. President Waits concluded her remarks by acknowledging the birthday of Commissioner Wichman.
4. **NACO Executive Director's Report.** Dagny requested that Vinson provide an update on the Infrastructure Report Card developed by the Nevada Section of the Society of Civil Engineers and noted that that a link to the report was included in the agenda packet. He informed the Board that the State had improved since the last publication in 2014 but that Nevada's overall grade was still a C. Dagny reminded the Board that pursuant to the Federal opioid litigation creating a class-action suit, counties must should take official action to opt-out of the Federal suit by November 22nd if they choose to do so. She addressed the Anderson decision by the State

Supreme Court that allows for the request of and requirement to hold jury trials in misdemeanor domestic violence cases. She informed the Board that she had discussed the situation with the Attorney General's office and that NACO would be holding a roundtable on November 1st to share information and discuss how the counties are preparing for these trials.

5. **Approval of Minutes of the September 26th, 2019 NACO Board of Directors Meeting.** The minutes were approved on a motion by Commissioner Price with second by Commissioner Wichman.
6. **Approval of NACO Resolution 19-04 Thanking Washoe County for Hosting the 2019 NACO Annual Conference.** President Waits thanked Washoe County for their hospitality and hard work and read the Resolution. The Resolution was passed on a motion by Commissioner Wichman with second by Commissioner Price.
7. **Discussion and Approval of NACO Meeting Dates for 2020.** Concern was expressed by the Board on the time requirement for the Canvas of the 2020 general election and how it related to the proposed dates for the Annual Conference. Clarification was provided by Ms. Lewis that the Canvas and approval of the Canvas must be completed by the 13th of November. The Board also discussed holding two meetings in Clark County, one in January and one in the Fall. The 2020 NACO Board of Directors meeting calendar was approved as discussed on a motion by Commissioner Hartung with second by Commissioner Wichman.
8. **Approval of a Commissioner to Serve on the Nevada Rural Housing Authority Board to Represent Recipients of Assistance from the Authority.** Dagny informed the Board that this is one of three positions the Association is responsible for appointing to the NRHA Board and that this individual is the representative that is responsible for representing the tenants of the Authority. Ms. Brenda Falkoinski was approved for the position on a motion by Commissioner Wichman with second by Commissioner Price.
9. **Update on NACO Entering into an Actuarial Study of the Costs to Nevada's Counties for the Nonfederal Share of the Expenditures for Long-Term Care Pursuant to the State Plan for Medicaid.** Dagny reminded the Board that they previously approved the study in July. She noted that the Medicaid match for long-term care assessments are the largest the counties pay and requested verification that she is authorized to sign a contract for the study. She also reminded the Board that Clark and Washoe counties had agreed to pay for a portion of the study, but she also requested authorization from the Board to commit funds from the Association's Special Studies budget line item to the study. Dagny's signatory authority was confirmed as was her authority to commit funds not to exceed \$10,000.00 from the associated budget item, on a motion by Commissioner Wichman with second by Commissioner Higbee.
10. **Nevada Day 2019, Update on Activities.** The Board discussed what their counties were doing to participate in the festivities in Carson City. Mineral, Storey, Lander and Humboldt Counties will be participating in the parade.
11. **Presentation and Update on the Newly Created Nevada Division of Outdoor Recreation and the Advisory Board on Outdoor Recreation within the Nevada Division of Conservation and Natural Resources (DCNR), Bradley Crowell, Director, DCNR.** Mr. Crowell gave the Board an overview of the bill approved in the 2019 Legislative Session that created the Division and Board, noting that there were concerns with the delicate balance of conservation needs and efforts and capitalizing on the economic drivers associated with the vast tourism potential of the state for outdoor recreation. He informed the Board that three positions had been approved within the budget, one that will be funded in FY20 and two additional positions being funded in FY21. Mr. Crowell informed the group that the Advisory Board will have 11 members and gave an overview of the Statutory requirements for the make-up of that Board. He did note that he would have liked to have county and federal agency representatives included on the Board but that current statute doesn't require that. He informed the Board that he would like to integrate counties into the discussion on the regulations that will be developed for the

Division as well as in the determination of projects that will be taken on by the new Division. President-Elect French inquired as to how existing agencies such as NDOW would be integrated into the process and Mr. Crowell noted that the agencies such as NDOW are already under the purview of DCNR, and as 'sister agencies' they will be part of the advisory committee. Other discussion from the Board also included funding of the Division and it was noted that the currently approved funding stream is through the General Fund, but that future funding sources will need to be identified. Mr. Jim Lawrence addressed the use of Question 1 funding. He also ensured the Board that counties would have representation on the development of the regulations for the Division. Off Highway Vehicle licensing was discussed as a possible funding stream and concern was expressed on the degradation of trails and land by out of state users. It was noted that the issue is a concern of the OHV Board and discussions are being conducted on how to address the issue. President-Elect French expressed concern with county permitting processes being followed and Commissioner Wichman noted that in her experience it isn't organizations that aren't following permitting procedures it is individual users. Fire mitigation and restoration were also discussed during the presentation.

12. **Presentation from the Nevada Division of Environmental Protection (NDEP) Regarding Recycling Programs in Nevada, Patty Moen, Northern Nevada Recycling Coordinator.** Ms. Moen gave an overview of the Department and its hierarchy and noted that the program is one of outreach not regulation. She informed the Board program's goal is to have 25% of waste recycled statewide but that because of increases in refuse vs. recycling that the state's numbers have been flat for several years. Discussion among the Board included challenges in reaching the goals because of changes to the current recycling infrastructure including China not accepting raw recyclable materials, the costs associated with increasing domestic infrastructure and storage and transportation costs of the materials.
13. **Update and Possible Action Regarding Natural Resources and Public Lands and Issues Affecting Counties Including:**
 - a. **Possible NACO Support of the Proposal: *The Path Forward for Management of the BLM's Wild Horses and Burros.*** Commissioner Goicoechea presented the item and referred to the Proposal, which was included in the agenda packet. He noted that at least 100,000 animals would need to be gathered to reach Appropriate Management Levels (AML), that the Proposal had been developed by a diverse group of stakeholders, that fertility controls would be necessary and are included in the Proposal, and that NACO's Public Lands and Natural Resources Subcommittee recommends support of the Proposal. President-Elect French thanked Commissioner Goicoechea for his leadership in the long process to reach this proposal and noted that Senator Cortez Masto's office had reached out to him regarding interest in and support of the proposal. Commissioner French also noted that appropriating the funding necessary to enact the proposal's recommendations is critical. He also informed the Board that the Wild Horse and Burro Commission would be making a presentation to Congress at the end of the month that would include the Proposal. NACO's support of the Proposal, including support of the appropriation necessary to fund it, was approved unanimously on a motion by Commissioner Wichman with second by Commissioner Allen.
 - b. **Update on Greater Sage Grouse Issues Including the BLM and USFS Greater Sage Grouse Resource Management Plans and the Activities of the State of Nevada's Sagebrush Ecosystem Council.** Chair French informed the group that Commissioner Goicoechea had informed the Committee of an injunction that had been handed down in court blocking the implementation of the amended BLM plan and returning their processes to the originally approved plan, which will have negative repercussions. Colby informed the group that there will likely be an appeal. Colby informed the Board that an objection letter had been submitted to the Forest Service on October 1st that requested that NACO be included in the resolution process. Commissioner Goicoechea informed the Board that the Sagebrush Ecosystem Council (SEC) had approved regulations and sent them to the State for approval by the Legislative Commission. Mr. Lawrence informed the Board that it is important that any regulations need to be passed to

encourage the support of the Agencies for the Nevada Plan and noted that it is important to be mindful to always advocate for the State's conservation plan. Commissioner Goicoechea concluded the item by noting that the SEC is still working on a system of conservation credits on public lands.

- c. Fallon Range Training Complex Modernization (FRTC).** Vinson informed the Board that the Non-Disclosure Agreement is still in place but that comments had been submitted on October 10th. He noted that the Record of Decision (ROD) was originally expected in January but has been pushed back to February. He noted that staff had worked closely with the Governor's office and other stakeholders on the proposal submitted to the Navy. Dagny concluded the item by noting that the issue will be precedent setting and that following the publication of the ROD it would transfer to a legislative/political process.
 - d. Other Updates from the NACO Public Lands and Natural Resources Subcommittee.** Commissioner Lucey informed the Board that Washoe County is still pursuing their lands bill and encouraged members of sister counties to contact him with any questions and/or attend the meetings the county will be having on the bill in the short term.
- 14. NACO Committee of the Emeritus Update.** Vinson informed the Board that planning was still being conducted on the Interim workshop series and reminded them of the workshop on December 6th that will discuss bills passed in the 2019 Legislative Session that affect county administration.
 - 15. National Association of Counties and Western Interstate Region Board Member Updates.** It was noted that both Boards had meetings coming up and updates on the activities of both would be given to the Association following those meetings.
 - 16. NACO Board Member Updates.** Updates were given by members of the Board on activities within their counties.
 - 17. Public Comment.** None was given.