

NEVADA ASSOCIATION OF COUNTIES (NACO)

Board of Directors' Meeting
November 19, 2021, 9:30am
NACO Conference Room
304 S. Minnesota Street
Carson City, NV 89703

ADOPTED MINUTES

Attendance: President Kirkpatrick, Vice President Higbee, Past President French, Carson City Supervisor Giomi, Clark County Commissioner Gibson, Douglas County Commissioner Gardner, Elko County Commissioner Andreozzi, Elko County Commissioner Steninger, Lyon County Commissioner Keller, Mineral County Commissioner Hall, Nye County Commissioner Strickland, Pershing County Commissioner Shank, Washoe County Commissioner Hartung, White Pine County Commissioner Carson and NACO Staff (Vinson Guthreau and Amanda Evans)

The meeting was called to order at 9:32 a.m.

1. **Public Comment.** None was given.
2. **Approval of Agenda.** The agenda was approved on a motion by Commissioner Hartung with second by Commissioner Andreozzi.
3. **NACO President's Report.** President Kirkpatrick discussed the statewide calls being held with the Department of Health and Human Services regarding the regulations that OSHA will need to develop, and implement should COVID vaccine and/or testing requirements go forward. Including funding for testing, counties having a seat at the table during the development of the regulations and a request to DETR for the number of companies in each county that would be subject to the regulations. She also discussed DHHS preparing a presentation on available dollars for childcare and how to access those dollars. Vinson expanded on the conversation, informing the Board that he had a call with the State where it was noted how individual the needs are in each county. He informed the Board that the County Health and Human Services Administrators Association has discussed the issue and are very engaged, including distributing an email to their members requesting the answering of applicable questions, so the needs of each county can be analyzed and addressed.
4. **NACO Executive Director's Report.** Vinson gave the Board an update on the Legislature's Special Session to address redistricting. He informed the Board that he offered opposition testimony to the first maps presented as they split five counties into more than one legislative district. He noted that the maps passed following amendments made by the appointed special committee were better they still are not great and informed the Board that a letter had been sent to the committee prior to the Session. Vice President Higbee noted that Lincoln County will have to prepare, print, and process separate ballots for only ten people and inquired if it is legal to split a county in such a way. Vinson informed the Board that he couldn't speak to the legality of the situation, but that the LCB had requested information on fiscal impacts to rural counties. The Board discussed the possibility of the Association becoming active in any lawsuits that are brought over the new maps and Vinson noted that can be a conversation later if it becomes applicable. Vinson ended his report by informing the Board that the State is requesting opinions on its new water resources plan, noting that the comment deadline is December 15th.

5. **Approval of Minutes of the September 29, 2021, NACO Board of Directors Meeting.** The minutes were approved on a motion by Commissioner Hartung with second by Supervisor Giomi.

6. **Presentation and Update of Assembly Bill (AB) 211, from the 2021 Session of the Nevada Legislature, by Jamie Rodriguez, Government Affairs Manager, Washoe County and Trevor Lloyd, Planning Manager, Washoe County.** Vinson referred to the materials included in the agenda packet and turned the item over to Ms. Rodriguez. Ms. Rodriguez gave the Board an overview of the Bill which requires subdivision maps be reviewed by the Nevada Department of Wildlife (NDOW) for impacts to wildlife. She explained that the Bill also allows for the collection of fees by NDOW for the review process and noted that the fees they can charge are higher than other State agencies. She informed the Board that the regulations process has yet to begin, and that Washoe County would be watching the process closely, specifically as they are concerned about affects to affordable housing. Ms. Rodriguez concluded her remarks by noting that Clark County has an exemption to the Bill because they have development plans in place that are approved by the Fish and Wildlife Service, and that infill development maps are also exempt. Mr. Lloyd then discussed the short timeframe for review of development plans and the need to rely on partner agencies to complete reviews within the required time. He noted that he doesn't anticipate a significant impact to Washoe County as they already complete this process in some areas per their Master Plan. He then gave an overview of the requirements include in the Bill noting that it will require a code amendment in Washoe County. Past President French inquired as to where the plans would be submitted, in the Reno office or in the local offices of NDOW throughout the State. Ms. Rodriguez informed the Board that is currently unclear, but it would make sense for the submission to be in local offices for the outlying counties. She also noted that NDOW had expressed concern at the Legislature with not having staff to complete the reviews, and that if a review is not received in a timely manner that the county can move forward with the development approval process. It was also noted that the higher fee associated was to allow for staffing and that the review is advisory only and not binding. Vinson informed the Board that all the concerns expressed were brought to the Bill's sponsor and noted that the bill request came from a 3rd party, not NDOW and that the agency did not support the legislation. The Board also expressed concerns with the designation of wild horses and burros as well as consistency with the decision-making process across the state. Specifically, opening the door to appeals from 3rd parties and planning commissions adopting differing things, which could potentially lead to lawsuits. President Kirkpatrick suggested creating a working group to address the concerns of the Board, which should include the Bills sponsor. Ms. Rodriguez agreed to lead the working group and Vinson reiterated that all the concerns of the Board had been brought to the Bill sponsor during the legislative session, and the review was to provide recommendations which are non-binding. He also suggested having the (NACO) Public Lands and Natural Resources Committee lead the working group.

7. **Discussion of Assembly Bill (AB) 385 and Potential Updates to County Personnel Policies.** President Kirkpatrick informed the Board that she had requested the agenda item. She noted that the County Managers have been in talks regarding the Bill and that language had been developed by the Southern Nevada Water Authority, which they are willing to share. She then noted that it will need to work its way through the legal system to see if the language does in fact hold up. Vinson then reminded the Board that the Bill makes changes to predetermined bonus' etc. in managerial contracts and stated that he will distribute the language when it is received. He concluded the item by informing the Board that former

Executive Director Stapleton and Joanna Jacob from Clark County had worked extensively on the Bill and the final language is better than the initial proposal.

8. **Update and Presentation Regarding Status of Recruitment for the Extension Director, for Nevada's Cooperative Extension, William A. Payne, Dean and Professor College of Agriculture, Biotechnology and Natural Resources.** Dean Payne reminded the Board that it had been four years since the last search for an Extension Director and noted the improved relationship between the NACO Board, Counties and Extension. He informed the Board that a third-party search firm had been engaged and that NACO's Officers, and NACO's Executive Director, are on the search committee. The Dean discussed the importance of Extension and adherence to the land grant designation and mission of the College. He suggested that the search firm be invited to a NACO meeting to gain more insight on the needs and issues of the counties and that any concerns of the Board be brought to the members of the search committee. He concluded his remarks by informing the Board that they are hopeful to have a new Director named by July 1, 2022. President Kirkpatrick expressed concern with the timeframe and the Dean explained that in academia they like to have new starts align with the academic year, although it could happen earlier because the position is not a teaching position. Past President French indicated that Extension Educators were having issues with the process for advancing concerns and the Dean reiterated that comments should be brought to members of the search committee, himself, or Holly Gatske.
9. **Approval of NACO Resolution 21-01 Thanking Churchill County for Hosting the 2021 NACO Annual Conference.** Vinson read the resolution into the record, and it was approved on a motion by Vice President Higbee with second by Commissioner Hartung.
10. **Final Update on NACO's 2021 Annual Conference.** Vinson gave the Board an overview of the event and thanked those members of the Board who participated in educational sessions. Amanda gave the Board an overview of the conference's attendance, sponsors and referred to the financial summary included in the agenda packet. She concluded the item by thanking Churchill County and the staff assigned to the event, noting that with the short timeframe available for planning the event, it could not have been completed without their assistance.
11. **Possible Approval of an Annual Conference Performance Bonus for NACO's Office Manager.** Vinson discussed the hard work the Association staff does to plan and execute the event. He informed the board that Amanda takes ownership of the event and works hard to ensure that the Board is proud of the annual event and proposed a \$2,000.00 bonus for Amanda. The bonus was approved on a motion by Past President French with second by Vice President Higbee.
12. **Discussion of 2022 NACO Annual Conference, Hosted by Storey County, Including Discussion of Conference Dates and Selection of Host County for Future NACO Conferences.** Vinson reminded the Board that Storey County is the approved host for the 2022 event, as they had been pushed back from hosting in 2021 due to the COVID-19 pandemic. He then informed the Board that planning for the event, to be held September 27-29, had begun and that the whole town of Virginia City would be booked out by attendees. Vinson then referred to the materials included in the agenda packet that outline the responsibilities of the host county and requested that the members take the information back to their respective counties for discussion on hosting the 2023 event. He also

suggested that the 2024 event be held in Carson City because it will be the centennial anniversary of the Association. No action was taken.

13. **Presentation and Approval of NACO's September 2021 Financials.** Vinson referred the Board to the materials in the agenda packet and discussed the Association's strong financial position. He noted cost savings in several line items, additional funds received in the form of non-dues revenue and the performance of the investment accounts under the currently adopted investment policy. Fiscal Officer Kalt informed the Board that staff is doing an excellent job with fiscal responsibility. The financials were approved on a motion by Supervisor Giomi with second by Past President French.

14. **Preliminary Presentation and Discussion of NACO's 2022 Budget.** Vinson again referred the Boards attention to the agenda packet and reminded them that the Association By-Laws require a two-meeting presentation of the proposed budget prior to adoption. He discussed the budget descriptions and noted that the item for staff travel had been increased to reflect the current economy, the Board meeting item includes costs associated with hosting two meetings of the Board outside of Carson City, and that non-dues revenue projections had been increased due to new programs being launched by NACo. He also discussed the Dues Schedule and reminded the Board that the public lands component is based off PILT and helps fund the public lands manager position and public lands advocacy. Vinson thanked Fiscal Officer Kalt for his partnership and assistance with preparing the budget. Fiscal Officer Kalt concluded the item by informing the Board that Vinson is doing very well as Executive Director and is extremely transparent and takes his responsibility to NACO seriously, recommending passage of the proposed budget as presented.

15. **Continued Discussion Regarding County Staff Salary Classifications, including Management Compensation and Best Practices for Competitive Recruitment.** Vinson informed the Board that the item was a continuation of the discussion held in September, and noted that Churchill County HR Manager, Geof Stark was on hand to answer questions based upon their recent recruiting successes. He then discussed the issues counties are having with recruitment, salary studies and retention. Vinson also noted the challenges that the Association has had with recent recruitment efforts for specialized positions like the Public Health position and the Government Affairs Manager. Commissioner Hall noted that rural areas are not seeing increases in population and that retention of current employees is an issue. Vice President Higbee echoed Commissioner Hall, specifically when it comes to law enforcement, noting that Lincoln County spends hundreds of thousands of dollars on training and then officers move to another county as they can't compete when it comes to salaries. Mr. Stark also noted that law enforcement was an issue in Churchill County and informed the Board that they had more success when they slanted recruitment efforts towards community commitment, even if another candidate had more qualifications. He agreed that wages are an issue and that Churchill County had to be realistic with contract negotiations. Mr. Stark also discussed issues with a younger workforce, noting that new hires were likely to leave after a year or less. Commissioner Carson informed the Board that they had 58 applicants for White Pine County's Manger position and that they also focused on community commitment when making the decision. Commissioner Hall inquired as to the salary range and Commissioner Carson stated that it was still being negotiated by that she would forward the information when it was final. Fiscal Officer Kalt informed the Board that he had been a party to the County's search effort and that the advertised salary range was \$100,000-118,000 but noted that each position should be taken on a case-by-case basis.

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

- a. **Updates from the NACO Public Lands and Natural Resources Subcommittee.** Vice President Higbee informed the Board that the Subcommittee discussed comments to the State's water plan update and the Waters of the US (WOTUS) rulemaking process. Vinson added that the Carson River Sub Conservancy would be holding a workshop on December 9th to discuss the WOTUS designation of the river as navigable. He also informed the Board that while the Secretary of the Navy would be in Churchill County that no action is expected on the proposed withdrawals this year, but that the proposal will be renewed in 2022. Vinson discussed the Department of the Interior's process for revisiting the Sage Grouse plans and informed the Board that a lot of data is expected to be pulled from local governments. Vinson concluded the item by discussing his recent meeting with BLM State Director Raby about the proposed statewide plan and informed the Board that they are expecting pre-plan approval in mid-January. The Subcommittee will house a working group to collaborate on the process, when necessary, as Director Raby has promised county engagement and committed to not rushing the process.
 - b. **Possible Approval of Partnership and Participation with Subregion of the West (WY MT ID NV) State Associations for a Waters of the U.S. (WOTUS) Roundtable Discussion with U.S. EPA.** Vinson informed the Board that the Wyoming Association had reached out to him regarding nominations for membership to the Roundtable for approval by the EPA. Based on the time commitment identified and the fact that they are looking for a broad spectrum of knowledge, he contacted Commissioner Lister, former NACO Executive Director Jeff Fontaine, and former Churchill County Commissioner Norm Frey, all of whom agreed to serve if chosen. Commissioner Hartung inquired if all three needed to be ratified or if one must be chosen, and it was clarified that all three names would be submitted to the EPA who would then choose on member for the Roundtable. The nominations were confirmed as presented on a motion by Commissioner Hartung with second by Past President French.
- 17. NACO Committee of the Emeritus Update, Including Possible Approval of By-Law Updates.** Vinson informed the Board that the Committee had met earlier in the month and discussed their By-laws, previously approved in 2014. He gave an overview of the Committee and the requested changes regarding the requirements for membership on the Committee included in the agenda packet. Commissioner Andreozzi inquired as to how many members are on the Committee and if there was a travel stipend. Vinson informed the Board that there is no limit on the number of members to the Committee and that a stipend could be discussed at a later date, but most of the work done by the group is remote. The updated By-laws were approved as presented on a motion by Supervisor Giomi with second by Past President French.
- 18. Updates from Members on the National Association of Counties Board, Western Interstate Region Board, and Individual Counties.** Past President French informed the Board that he had recently attended the WIR Board meeting in Utah and they discussed the Endangered Species Act updates to the definition of habitat, WOTUS, and completed a lot of housekeeping as the May meeting had been canceled due to COVID. He also informed the Board that there are still three vacancies on the Wild Horse and Burro Advisory Committee, but no action has been taken on the appointments due to the change in administration and a roughly 85% staff vacancy. President Kirkpatrick informed the Board that she is working with NACo Executive Director Matt Chase on compiling a list of grants to be considered for

inclusion in the proposed Build Back Better bill in Washington and has been speaking with members of the delegation about funding grant writers for counties to access more of the federal funding available. Updates were given by members of the Board on activities within their counties.

19. **Public Comment.** None was given.

The meeting was adjourned at 12:06 p.m.