

NEVADA ASSOCIATION OF COUNTIES (NACO)

Board of Directors' Meeting

January 25th, 2019, 1:00p.m.

Clark County Government Center-Organizational Training Center, Training Rm. 3

500 S. Grand Central Parkway

Las Vegas, NV 89155

AGENDA

Some NACO Board members may attend via video link or phone from other locations. Items on the agenda may be taken out of order. The NACO Board may combine two or more agenda items for consideration. The NACO Board may remove an item from the agenda or delay discussion relating to an item on the agenda at any time.

Call to Order, Roll Call and Pledge of Allegiance

1. Public Comment. Please Limit Comments to 3 Minutes.
2. Approval of Agenda. **For Possible Action**
3. Investiture of the 2019 NACO Officers.
4. NACO President's Report.
5. NACO Executive Director's Report.
6. Approval of Minutes of the December 14th, 2018 NACO Board of Directors Meeting. **For Possible Action**
7. Approval of NACO Resolution 19-01 Recognizing January as National Radon Action Month. **For Possible Action**
8. Update and Discussion on New Federal Rules for Counties Regarding Local Regulation of the Installment of 5G Wireless Infrastructure.
9. Update and Discussion on the 2019 National Association of Counties Annual Conference in Clark County Including Planning, Sponsorships, and Ways that NACO Members Can Provide Support. **For Possible Action**
10. Presentation and Discussion on Solutions to Wildfire Management Presented by Chris Stewart, Ninety-Six Ranch.
11. Update and Possible Action Regarding Proposed Legislative Measures, Budget Requests, and NACO Priorities for the 2019 Nevada Legislative Session. **For Possible Action**
12. Review and Discussion of NACO's Draft Federal Policy Priorities for 2019. **For Possible Action**

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

- a. NACO Public Lands and Natural Resources Committee Update.
- b. The BLM and USFS Greater Sage Grouse Resource Management Plan Amendments.
- c. The U.S. Department of the Navy's DEIS for the Fallon Range Training Complex Modernization.

14. National Association of Counties and Western Interstate Region Board Member Updates.

15. NACO Board Member Updates.

16. Public Comment. Please Limit Comments to 3 Minutes.

Adjournment.

Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify NACO in writing at 304 S. Minnesota Street, Carson City, NV 89703, or by calling (775) 883-7863 at least three working days prior to the meeting.

Members of the public can request copies of the supporting material for the meeting by contacting Amanda Evans at (775) 883-7863. Supporting material will be available at the NACO office and on the NACO website at: www.nvnaco.org

This agenda was posted at the following locations:

NACO Office 304 S. Minnesota Street, Carson City, NV 89703

Washoe County Admin. Building 1001 E. Ninth Street, Reno, NV 89520

Elko County Manager's Office 540 Court Street #101, Elko NV 89801

POOL/PACT 201 S. Roop Street, Carson City, NV 89701

Clark County Government Center, 500 S. Grand Central Parkway, Las Vegas, NV 89155

The following links and/or pages are support for agenda
Item 6

NEVADA ASSOCIATION OF COUNTIES (NACO)

Board of Directors' Meeting
December 14, 2018, 9:30 a.m.
NACO Office
304 S. Minnesota Street
Carson City, NV 89703

UNADOPTED MINUTES

Attendance: President Weekly, President Elect Waits, Vice President French, Nye County Commissioner Wichman, Esmeralda County Commissioner Bates, Elko County Commissioner Steninger, Western Interstate Region Member-Elko County Commissioner Dahl, Carson City Mayor Crowell, Lincoln County Commissioner Higbee, Douglas County Commissioner Thaler, Mineral County Commissioner Tipton, Lyon County Commissioner Mortensen, Austin Osborn on behalf of Storey County Commissioner McGuffey and NACO Staff (Dagny Stapleton, Vinson Guthreau, Sandy Hoover and Amanda Evans)

Remote Attendance: Clark County Commissioner Kirkpatrick, Churchill County Commissioner Olsen, Pershing County Commissioner Shank

Other Attendance: Lyon County Commissioner Alt; Lee Bonner, NDOT; Dean Payne, UNR; Rudy Evenson and Brian Amme, BLM Nevada; Katie Coleman and Bill Brewer, Nevada Rural Housing Authority (NRHA); Jennifer Carr, NDEP and Linda Bissett, NV Energy

The meeting was called to order at 9:30 am.

1. **Public Comment.** The BLM's Acting State Director, Brian Amme informed the Board that a permanent State Director has been assigned. John Raby, who currently serves as the Acting State Director of Montana will take the helm in Nevada on January 14th. Mr. Amme informed the Board that he is excited to work with Mr. Raby, who has a proven record of solid and collaborative engagement with stakeholders.
2. **Approval of Agenda.** The agenda was approved on a motion by Commissioner Tipton with second by Commissioner Wichman.
3. **NACO President's Report.** President Weekly thanked the Board again for the President's Reception at the November Annual Conference and for the caricature he was presented with at the event. He informed the Board that he had recently attended the NACo Large Urban Caucus meeting in San Diego, CA, and spoke on a panel at the meeting. He discussed updates on the planning efforts for the 2019 NACo Annual Conference being hosted by Clark County. He concluded his remarks by acknowledging the Board members with December birthdays.
4. **NACO Executive Director's Report.** Dagny reminded the Board that the January meeting will be held in Clark County and the investiture of the 2019 Officers will take place at that meeting. Prior to that meeting Clark County will be providing a tour of possible event sites for the 2019 NACo Annual Conference, as well as additional information regarding the planning of the event so that the Board could support that process. Dagny asked that members of the Board inform any new Commissioners assigned to the Board of this so that they may plan appropriately. She also informed the Board that the Public Lands and Natural Resources Subcommittee will be meeting at 8:00 that morning as well. Dagny requested that any educational session ideas for the National conference be forwarded to her to be passed along to Clark County. Dagny reminded the Board that registration for the NACO Legislative Conference in March is open and referenced information on a Broadband conference coming up in January that had been distributed that morning and encouraged Board members to attend. She also noted that information on the foster care system had been distributed pursuant to the Board's previous discussion on Health and Human Services in October. Dagny recognized those

members of the Board that are outgoing and reminded the Board that the position announcement for the Association's Natural Resources Manager had been released.

5. **Approval of Minutes of the November 14th, 2018 NACO Board of Directors Meeting.** The minutes were approved on a motion by Commissioner Tipton with second by Commissioner Thaler.
6. **Approval of NACO's October 2018 Financial Statements and October 31, 2018 Investment Reports.** The financial statements and investment reports were approved on a motion by Commissioner Tipton with second by Commissioner Bates.
7. **Discussion and Approval of NACO's 2019 Budget.** Dagny informed the Board that the Budget included in the agenda packet is identical to the draft provided in October. She informed the Board that the Budget is based on the inclusion of a .5% multiplier for the public lands dues assessment and that total dues to NACO would increase by roughly \$12,000. She noted that there were substantial savings from 2017-18 due to staff turnover and savings in operating costs, and those savings carry over into the 2019 Budget. She noted that a net loss is expected for 2019 due to the possibility of only breaking even at an abbreviated NACO Annual Conference and the need to replace the office roof, however, with the positive net position coming into 2019 it should not be an issue. She concluded her review with the fact that the budget includes a 2% COLA increase for staff. The budget was approved on a motion by Commissioner Tipton with second by Commissioner Wichman.
8. **Approval of NACO Resolution 18-02 Thanking Douglas County for Hosting the 2018 NACO Annual Conference.** The resolution was approved on a motion by Commissioner Wichman with second by Commissioner Tipton.
9. **Final Update on NACO's 2018 Annual Conference.** Dagny referenced the budget included in the agenda packet, noting that while registration was virtually the same as in 2017 attendance was higher. She also informed the Board that there was a significant increase in sponsors.
10. **Possible Approval of an Annual Conference Performance Bonus for NACO's Office Manager.** Dagny requested approval of a bonus of \$2,500.00, noting that Conference cost savings and additional revenues were more than that and that Amanda works very hard on the event. The bonus was approved on a motion by Commissioner Wichman with second by Commissioner Tipton.
11. **Nomination of One of Nevada's Two Representatives to the National Association of Counties (NACo) Board to Serve out the Remainder of the Appointment Currently Held by Commissioner Tipton.** Dagny reminded the Board that the appointments are for two years and that Commissioner Tipton had been appointed in July and that the term will conclude in July of 2020. She noted that the tradition of the Board is to appoint one urban representative and one rural representative, and that Commissioner Kirkpatrick currently serves as the urban representative. Commissioner Tipton informed the Board that she had served on the Board for ten years and nominated Commissioner Higbee to assume the position noting that he has tremendous background in a variety of issues addressed by the NACo Board. The nomination was seconded by Commissioner Bates and Commissioner Higbee was unanimously approved to represent Nevada on the NACo Board of Directors.
12. **Presentation and Discussion on State Requirements in County Subdivision and Water/Wastewater Infrastructure Approval Processes, Jennifer Carr, Deputy Administrator, Nevada Division of Environmental Protection.** Ms. Carr informed the Board that there are issues being discovered with local water and waste water infrastructure. She noted that these issues are in part due to the approvals of tentative and final development maps. She noted that the plans don't always consider planning for safe drinking water and challenges with sewer and waste water systems that are at or nearing capacity. She discussed the loss of institutional knowledge within NDEP and the importance of local planning and building departments working in concert with NDEP to address these issues. She requested further partnerships between the affected county departments and NDEP to ensure that safe drinking water and appropriate waste systems are planned and provided for; and she distributed a document with more details and direction. Vice President French noted issues with sequential parceling and lack of oversight of septic system placement and suggested that the agency request to be placed on the agendas for the individual regional planning commissions. Ms. Carr

agreed that there are several locations in the State with nitrate issues in the fresh water systems and thanked the Commissioner for the suggestion.

13. **Update and Possible Action Regarding Proposed Legislative Measures, Budget Requests, and NACO Priorities for the 2019 Nevada Legislative Session.** Dagny noted that the Session is quickly approaching and that there are several bills already out, she informed the Board that Commissioner Lucey is the Chair of the Legislative Committee and that they had been meeting monthly and will be meeting weekly during the Session. Vinson updated the Board on the Association's bills noting that they had already been pre-filed and assigned to their committees. The diesel tax bill is SB48, the bill that would allow counties to form 501(c)3's is SB13, AB21 is the bill that would allow rural county appointments to fill vacancies on small boards and commissions, SB12 is the bill regarding the usage of 911 fees, and AB82 is the primary elections bill. He noted that several meetings have been held with legislators regarding the legislative priorities of the Association, specifically that engagement has been made with thirteen members of the Assembly and eleven members of the Senate including members of leadership. Additional meetings are scheduled. Dagny informed the Board that SJR14, a Constitutional amendment that addresses property tax reform through removing depreciation, will be reintroduced. Commissioner Kirkpatrick inquired as to the impacts of the proposed bill and Dagny informed the Board that the information is not currently available but that Senator Ratti has commissioned a study on the issue. President Elect Waits noted issues with improvements offsetting depreciation on older properties, Commissioner Tipton noted the inclusion of provisions for breaks for seniors and disabled people. Vice President French noted that with the current property tax caps, and no corresponding floor on decreases, it will take 22 years for the property taxes in Humboldt County to return to 2008 revenues. Commissioner Mortensen noted issues with homes in subdivisions having vastly different tax rates based upon date of build/sale. Commissioner Kirkpatrick suggested the Board remain neutral until additional information on impacts can be obtained, and the Board agreed by consensus. Dagny inquired as to the Board's continued support for a bill for the White Pine County courthouse, she referenced the U.S. Marshall's report included in the agenda packet, the funds the County has set aside, and the amount requested from the State, the Board agreed to continue to support the bill by consensus. The next bill discussed was the Indigent Defense bill, AB81. Dagny informed the Board that the general feelings of the members of the Right to Counsel Commission, including the 7 county representatives, is that the language of the bill does not reflect the wishes of the Commission, specifically that there is no clear language that funding for any reforms must come from the State. Though the bill draft does include retaining local control and that the proposed State oversight commission would be comprised predominately of county representatives, there is a group of stakeholders, including NACO, who are working on an amendment to clarify various provisions of the bill including county immunity from unfunded mandates related to any proposed new regulations. Commissioner Tipton and Mayor Crowell agreed that the language of the bill does not match the intent of the Commission. The Board held a brief discussion on marijuana laws and the Board's priority positions remained the same on the issue, as in the 2017 legislative session.

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

- a. **NACO Public Lands and Natural Resources Committee Update.** Commissioner Tipton informed the Board that the Committee had a lengthy meeting the previous day and that the Committee recommends the Board have a presentation on potential solutions to fire management by Chris Stewart and continue the conversation regarding transfer of already identified federal public lands for disposal to the State.
- b. **The BLM and USFS Greater Sage Grouse Resource Management Plan Amendments.** Sandy informed the Board that the BLM's plan had been published and reminded the Board that they had given the Public Lands Committee the discretion to decide on the filing of a protest of the agency's final plan. She informed the Board that the Committee has decided to file a protest and that when that document is complete it will be distributed to the Committee for approval. She informed the Board that comments are being drafted on the Forest Service's DEIS and would be submitted prior to January 3rd. She encouraged counties to submit individual comments and that the Association would distribute a template prior to December 24th. Commissioner Tipton clarified that several key issues of concern were not

included in the BLM's final draft and that coupled with the need to maintain standing is why the Committee decided to file the protest.

- c. **Discussion on the Contract with Resource Concepts, Inc., to provide Technical Support to Counties on Issues Related to the Greater Sage Grouse Resource Management Plan Amendments.** Dagny gave an overview of the RCI contract and noted that at the end of the BLM process is imminent and that roughly only ½ of the approved contract amount had been utilized. She requested clarification from the Board that they intended to use the contract to work on the Forest Service portion of the issue as well, noting that any unused portion of the approved contract amount would be returned to the counties that contributed. She also noted that there is no expectation to exceed the contract amount. The Board affirmed use of the contract for USFS sage grouse plan as well.
- d. **Possible NACO Support for the Request of an Executive Action Related to RS2477 Rights of Way.** Commissioner Tipton informed the Board that Eureka County's Jake Tibbits had attended the meeting the previous day and gave the Committee updates on the issue from SLUPAC workshops. She noted that the Committee believes it is important for the Board to engage in the issue and that a possible Executive Action could include changing the burden of proof from the counties to the agencies on the status of a RS2477 road. Sandy read language that SLUPAC included in their resolution and then the language the Committee proposed to be included in the request for an action "On December 14, 2018, the Nevada Association of Counties Board of Directors unanimously voted to support the resolution of public rights of way across federal lands established by RS 2477 by requesting an Executive Order that would shift the burden of proof for determining RS 2477 status from counties to the Federal agencies. Such an Executive Order would require Federal agencies to provide clear and convincing evidence that a road is not an RS 2477 right of way prior to any proposed closure or restricted travel on that road." Vice President French noted that it is important that counties identify roads and file legal and historic data and incorporate that data into master plans. The language developed by the Committee and read by Sandy was approved by the Board on a motion by Commissioner Dahl with second by Commissioner Wichman.
- e. **The U.S. Department of the Navy's DEIS for the Fallon Range Training Complex Modernization.** Sandy gave an overview of the issue, former direction to staff and Board decisions. She reminded the Board that communication has been restricted due to NDA's but that the Association had submitted comments containing approved Board positions. She informed the Board that while most of the Association's concerns had been addressed, the DEIS does not include any mitigation planning or costs which is an overarching concern for all counties involved. She noted that the Public Land and Natural Resources Committee discussed the issue the previous day and is requesting direction from the Board regarding continued engagement on the issue. Commissioner Tipton stated that the Committee would like to request an extension on the comment period and that since no mitigation language is included that Congress can not make an informed decision on the costs associated with the plan. Dagny encouraged the Board to reach out directly to their representatives in Congress regarding the lack of inclusion of mitigation plan or funding in the DEIS. The Board voted to continue to work on the issue as a Cooperating Agency on a motion by Commissioner Tipton with second by Commissioner Wichman.

15. **National Association of Counties and Western Interstate Region Board Member Updates.** Vice President French informed the Board that discussions at the most recent WIR call included the inclusion of language from Senator Hatch that would make funding for SRS permanent and fire and forest management funding and protocols in the Farm Bill. Additional discussion during the meeting included broadband connectivity in the rural communities and the need to adopt policies for solutions to the RS 2477 conversation.

16. **NACO Board Member Updates.** Updates were given by members of the Board on activities within their counties.

17. **Public Comment.** NHRA Executive Director, Bill Brewer briefly spoke to the Board regarding affordable housing issues that will be coming up in the legislature and noted that he looks forward to working the Board on the proposed legislation.

The meeting was adjourned at 12:07 pm.

The following links and/or pages are support for agenda
Item 7



University of Nevada
Cooperative Extension

For immediate release: Dec. 27, 2018

Presentations teach radon safety and offer free radon test kits

University of Nevada Cooperative Extension offers free test kits at public meetings statewide

RENO, Nev. – January is National Radon Action Month, and [University of Nevada Cooperative Extension's Radon Education Program](#) is offering free short-term radon test kits to Nevadans from Jan. 1 through Feb. 28. Radon test kits are available at Cooperative Extension offices and partnering locations, as well as at presentations, statewide.

Radon is a naturally occurring, radioactive gas that is colorless, odorless and tasteless. It comes from the ground and can accumulate in homes, raising the risk of lung cancer. The U.S. Environmental Protection Agency estimates 21,000 Americans die each year from radon-caused lung cancer, killing more people than secondhand smoke, drunk driving and house fires.

In Nevada, one in four homes tested show radon concentrations at or above the EPA action level. According to experts, living in a home with radon concentrations at the action level poses a risk of developing lung cancer similar to the risk posed by smoking about half a pack of cigarettes a day.

The risk of radon-caused lung cancer can be reduced. A simple three-day test can determine if a house has a radon problem, and winter is an ideal time to test a home for radon. If radon problems are found, they can be fixed.

Scheduled presentations for northern Nevada are:

- Jan. 9 at Genoa Town Hall, Main Street, Minden, at 6:30 p.m.
- Jan. 12, Smart Strategies Workshop for Homeownership, Repairs & Radon, at Adams Hub Studio, 111 W. Proctor St., Carson City, from 9 a.m. to noon.
- Jan. 12 at Sierra View Library, 4001 S. Virginia St., Reno, at 2 p.m.
- Jan. 15 at Spanish Springs Library, 7100-A Pyramid Highway, Sparks, at 5:30 p.m.
- Jan. 17 at CVIC, 1604 Esmeralda Ave., Minden, at 6 p.m. (Radon Poster Contest Awards Ceremony will follow the educational presentation).
- Jan. 22 at Tahoe Regional Planning Agency, 128 Market St., Stateline, at 6 p.m. (Nevada and California collaborative program)
- Feb. 2 at Northwest Reno Library, 2325 Robb Drive, Reno, at 3:30 p.m.
- Feb. 6 at North Valleys Library, 1075 North Hills Blvd., Reno, at 5:30 p.m.
- Feb. 7 at Sparks Library, 1125 12th St., Sparks, at 6 p.m.
- Feb. 8 at South Valleys Library, 15650 Wedge Parkway, Reno, at 3 p.m.

Scheduled presentations for southern Nevada are:

- Jan. 24 at Sahara West Library, 9600 W. Sahara Ave., Las Vegas, at 6 p.m.
- Jan. 26 at Laughlin Library, 2840 Needles Highway, Laughlin, at 1 p.m.
- Jan. 27 at Rainbow Library, 3150 N. Buffalo Drive, Las Vegas, at 2 p.m.
- Jan. 28 at Windmill Library, 7060 W. Windmill Lane, Las Vegas, at 6 p.m.
- Jan. 29 at Paseo Verde Library, 280 S. Green Valley Parkway, Henderson, at 6 p.m.
- Jan. 30 at Clark County Library, 1401 E. Flamingo Road, Las Vegas, at 6 p.m.
- Jan. 31 at Summerlin Library, 1771 Inner Circle, Las Vegas, at 6 p.m.
- Feb. 1 at Mesquite Library Learning Center, 121 W. First N St., Mesquite, at 10:30 a.m.

- Feb. 1 at Northeast Clark County Cooperative Extension, 1897 N. Moapa Valley Blvd., Logandale, at 1 p.m.
- Feb. 4 at Boulder City Senior Center, 813 Arizona St., Boulder City, at noon.
- Feb. 4 at Aliante Library, 2400 W. Deer Springs Way, North Las Vegas, at 6 p.m.

For those who cannot attend a presentation, free test kits are available through Feb. 28 at the following northern Nevada locations:

- Carson City County Cooperative Extension, 2621 Northgate Lane, Suite 15, Carson City.
- Churchill County Cooperative Extension, 111 Sheckler Road, Fallon.
- Douglas County Cooperative Extension, 1325 Waterloo Lane, Gardnerville.
- Gardnerville Ranchos GID, 931 Mitch Drive, Gardnerville
- Tahoe Regional Planning Agency, 128 Market St., Stateline.
- Genoa Town Office, 2289 Main St., Genoa.
- Elko County Cooperative Extension, 701 Walnut St., Elko.
- City of West Wendover City Hall, 1111 N. Gene L. Jones Way, West Wendover.
- Humboldt County Cooperative Extension, 1085 Fairgrounds Road, Winnemucca.
- Lander County Cooperative Extension, 815 N. Second St., Battle Mountain.
- Lyon County Cooperative Extension, 504 S. Main St., Yerington.
- Fernley City Hall, 595 Silver Lace Blvd., Fernley.
- Central Lyon County Fire District, 246 Dayton Valley Road, Dayton.
- Mineral County Cooperative Extension, 205 S. A St., Hawthorne.
- Pershing County Cooperative Extension, 810 Sixth St., Lovelock.
- Storey County Senior Center, 100 Mill St., Virginia City.
- Lockwood Senior/Community Center, 800 Peri Ranch Road, Lockwood.
- Washoe County Cooperative Extension, 4955 Energy Way, Reno.
- Sun Valley General Improvement District, 5000 Sun Valley Blvd., Sun Valley.
- Incline Village Recreation Center, 980 Incline Way, Incline Village.

In southern Nevada, free test kits are available through Feb. 28 at the following locations:

- Clark County Cooperative Extension, 8050 Paradise Road, Suite 100, Las Vegas.
- Southern Clark County Cooperative Extension, 55 Civic Way, Laughlin.
- Northeast Clark County Cooperative Extension, 1897 N. Moapa Valley Blvd., Logandale.
- Henderson City Hall City Clerk Information Desk, 240 S. Water St., Henderson.
- Eureka County Cooperative Extension, 701 S. Main St., Eureka.
- Lincoln County Cooperative Extension, 360 Lincoln St., Caliente.
- White Pine County Cooperative Extension, 995 Campton St., Ely.

A list of presentations can also be found at <http://bit.ly/NRAM19presentations>, and a list of locations to get test kits can be found at <http://bit.ly/NRAM19kitlocations>.

Nevadans can also [order free test kits online](https://2019freekit.eventbrite.com) at <https://2019freekit.eventbrite.com>, or by mailing in [the Radon Test Kit Order form](#), also available online for printing at <http://bit.ly/NRAM19cpn>. Ordered test kits will require \$4 for shipping.

For more information, call the Radon Hotline at 1-888-RADON10 (1-888-723-6610) or visit the [Nevada Radon Education Program website](#) at www.RadonNV.com. Cooperative Extension, the EPA and the Nevada Division of Public and Behavioral Health urge all Nevadans to test their homes for radon.

The Nevada Radon Education Program is a program of [University of Nevada Cooperative Extension](#) and is funded by the Nevada Division of Public and Behavioral Health through Grant Number K1-96963519-0 from the EPA. Since the program began in 2007, more than 28,000 homes have been tested in Nevada.

Photo Cutline: Nearly 26 percent of homes tested in Nevada found radon concentrations at or above the EPA action level.

University of Nevada Cooperative Extension is the unit of the University of Nevada, Reno that is engaged in Nevada communities, presenting research-based knowledge to address critical community needs. It is a county-state-federal partnership providing practical education to people, businesses and communities. For more information on its programs, visit www.unce.unr.edu.

Nevada's land-grant university founded in 1874, the University of Nevada, Reno ranks in the top tier of best national universities by U.S. News and World Report and is steadily growing in enrollment, excellence and reputation. The University serves nearly 22,000 students. Part of the Nevada System of Higher Education, the University is home to the University of Nevada, Reno School of Medicine, University of Nevada Cooperative Extension and Wolf Pack Athletics. Through a commitment to world-improving research, student success and outreach benefiting the communities and businesses of Nevada, the University has impact across the state and around the world. For more information, visit www.unr.edu.

Contact: Claudene Wharton

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Nevada Association of Counties (NACO)
Resolution 19-01

Resolution in Support of National Radon Action Month

WHEREAS, many Nevada residents don't know about radon, yet need to know, for the safety and health of their families, as radon is a colorless, odorless, naturally occurring radioactive gas that is the primary cause of lung cancer among nonsmokers; the second leading cause of lung cancer in smokers and

WHEREAS, the U.S. EPA estimates 21,000 people in the U.S. die each year from lung cancer caused by indoor radon exposure, and lung and bronchus cancer kill more people in a year than any other cancer; and

WHEREAS, radon kills more people than secondhand smoke, drunk driving, choking, drowning or home fires; and

WHEREAS, any home in Nevada may have elevated levels of radon, even if neighboring homes do not, and living in a home with an average radon level of 4 picocuries per liter of air poses a similar risk of developing lung cancer as smoking half a pack of cigarettes a day; and

WHEREAS, testing is the only way to know if a home has an elevated radon level, and testing is easy and inexpensive, and when identified, homes can be fixed; and

WHEREAS, University of Nevada Cooperative Extension, the Nevada Division of Public and Behavioral Health, and the U.S. Environmental Protection Agency support efforts to encourage all Nevada residents to test their homes for radon, mitigate elevated levels of radon, and have new homes built with radon-reducing materials and features.

NOW, THEREFORE, we, the Nevada Association of Counties, do hereby proclaim January 2019, as “**NATIONAL RADON ACTION MONTH**” **In all Nevada counties**

PASSED, APPROVED AND ADOPTED this 25th day of January, 2019 by the Board of Directors of the Nevada Association of Counties.

Attests:

/_____
Patsy Waits
President

/_____
Dagny Stapleton
Executive Director

The following links and/or pages are support for agenda Item 8

NACo Publication: 5G Wireless Broadband 101 -

<https://www.naco.org/resources/featured/next-generation-local-zoning-authority-5g-wireless-broadband-101>

Summary of Proposed FCC Order -

<http://www.nvnaco.org/wp-content/uploads/5G-next-century-cities-Summary-of-Proposed-FCC-Small-Cell-Order.v2-1.pdf>

Clark County Ordinance -

http://www.nvnaco.org/wp-content/uploads/CLARK-5g-Ord-PubHear_WirelessOrd_OrdRevised_20190107c.pdf

The following links and/or pages are support for agenda
Item 11

<http://www.nvnaco.org/wp-content/uploads/Bill-Tracker-1-17-19.pdf>

Resolution of (County Name)

A RESOLUTION SUPPORTING SENATE BILL 48

WHEREAS, Counties in Nevada are responsible for construction and maintenance of 65% of the roads in the State, and

WHEREAS, an efficient and well-maintained road system is critical to economic development, public safety and quality of life for our communities, and

WHEREAS, county revenues from gasoline taxes alone are not enough to repair many already failing roads, and

WHEREAS, in (County) revenue for road maintenance in FY 2019 is \$XXXX; however our road maintenance and construction needs are actually \$XXX , and

WHEREAS, currently Nevada's rural counties are authorized to enact a local 5 cent gasoline tax, and, if enacted, those taxes are distributed proportionally to all jurisdictions (cities and counties) within each county, and

WHEREAS, Nevada's rural counties do not have an equivalent mechanism to collect tax revenue on diesel fuel, in contrast to our Urban counterparts, and

WHEREAS, [optional for counties with cities] (County) believes in a strong county, city partnership to approach transportation from a regional planning perspective., and

WHEREAS, (County) supports mechanisms that will assist and support counties in their responsibility to maintain county roads, and

WHEREAS, the Nevada Association of Counties, has introduced Senate Bill 48, to enable Nevada's rural counties to enact a diesel tax on diesel fuel to pay for critical road infrastructure

THEREFORE, BE IT RESOLVED, that the (County), issues this resolution expressing our strong support for Senate Bill 48, introduced in the 2019 Nevada Legislature.

THEREFORE, BE IT FURTHER RESOLVED, that a copy of this resolution be transmitted to the Nevada Association of Counties Board of Directors, immediately upon passage.

Passed, Approved and Adopted this XX day of January 2019 by the (County)

Attest:

XXXX
Commissioner Chair

XXXX
County Clerk



Nevada Association of Counties
304 South Minnesota Street
Carson City, NV 89703
(775) 883-7863
www.nvnaco.org

NACO Priorities 2019 Legislative Session

This interim, based on county legislative priorities, the NACO Board of Directors voted to request five bills. Listed below is a summary of each.

SB 48 - Funding for Critical Road Infrastructure in Nevada's Rural Counties

Counties with populations less than 100,000 currently receive no revenue from existing diesel taxes collected at the pump. This is in contrast to gasoline. All counties are enabled to impose a nine-cent tax on *regular gasoline* that goes to road maintenance. However, rural counties are responsible for maintaining the majority of roads in their counties and revenues from gasoline taxes alone are not enough to repair many already failing roads. Road maintenance needs in some rural counties are so great that public safety is impacted. In Humboldt County, for example, county roads that were washed away by flooding in 2017 have yet to be repaired due to lack of funds. In Lyon County, the total cost to rebuild roads that are rated as "failing" is nearly \$33 million dollars, yet the County only has a \$2.7-million-dollar annual budget available for road improvements. To solve this problem, the proposed bill would enable rural boards of county commissioners to vote to impose a tax on diesel fuel up to five cents per gallon, or ask voters to approve such a tax. Any diesel tax approved by a county would be distributed proportionally between cities and the county. Also, a portion of the new revenue collected would go to provide much needed parking for commercial trucks, so that drivers can rest in safe and designated areas.

SB 13 - Allowing Counties to Provide Financial Assistance to Victims in times of Emergency.

Senate Bill 13 would authorize a County to create a nonprofit corporation (501c3) for the limited purpose of assisting the County in raising funds and providing emergency assistance and other types of governmental services to residents and visitors in times of great need. In the aftermath of the 1 October tragedy in Clark County, Clark and other Nevada counties realized they needed the ability to establish 501(c)3 accounts in order to accept and disperse donations from those who want to help. Currently under Nevada State Law, local governments are not enabled to establish such funds. SB 13 would change that so, in times of emergency, counties can provide oversight of donations and efficient and fair disbursement of assistance to victims.



Nevada Association of Counties
304 South Minnesota Street
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AB 21 – A Solution for Rural County Boards that Cannot Meet a quorum.

Some rural counties lack individuals willing or able to run for office to serve on small but important county governing boards. As a result, there are boards of county districts and other entities that are no longer able to govern. For example, in Humboldt County there are two water and two sewer districts that no longer have enough members to meet a quorum and conduct business - because of this, critical public infrastructure is without local oversight. In Nye County, there are six of these small county boards that can no longer function. To solve this problem, in rural counties only, AB 21 would allow certain local boards and districts with unfilled seats to request that the board of county commissioners vote to make the board appointed.

SB 12 – Helping Counties Collect 911 Fees

Counties are allowed to collect “911 fees” of up to \$1 on all phone lines, to be used to fund 911 systems and to purchase body worn cameras for law enforcement. Currently, however, some Nevada counties may not be collecting all of the revenue due to them from 911 fees. There are many different telecommunications providers and billing entities in each county and counties have become aware that there may be providers or billing entities who may not be assessing and remitting the fees to the county. To correct this situation an audit is required of each of the lines, services, and providers in each county; however, because of the breadth and detail of these audits, they are very expensive. NACO would like a very small change made to the allowed expenditures for 911 fees so that counties may use the fees to pay for the audits.

AB 82 – Amending Nevada’s Primary System to Ensure that all Voters can Participate

In 2015 Nevada law changed regarding primary elections. Prior to the passage of SB 499 (2015) if there were candidates of only one major party on the ballot the primary was carried out as follows:

if there were two nominees from that party, both would advance to the general election; if there were more than two nominees from that party than either the top two vote getters would advance to the general, or, if one candidate received more than 50% of the vote then only that person would advance to the general.

SB 499 changed the law so that, now, if a major political party has two or more candidates file for an office, and no candidates file from any other party, then the single top vote getter from the primary always advances to the general, thus deciding the race in the primary. AB 82 would return Nevada to the primary system in place prior to 2015, so that, if candidates from only one party have filed, general election voters decide the outcome of the election.

The following links and/or pages are support for agenda
Item 12



Nevada Association of Counties (NACO) Federal Priorities

Health & Human Services

Protect the Federal State Local Partnership for Medicaid: NACO supports maintaining the federal-state-local structure for financing and delivering Medicaid services while maximizing or enhancing flexibility to support local systems of care. Counties have made the most of Medicaid's flexibility and have supported health systems that serve a disproportionate share of low-income populations, including the homeless, and those cycling in and out of county jails. Nevada counties are concerned about any measures that would further shift Medicaid costs to counties. In Nevada, counties already provide a significant amount of Nevada's non-federal Medicaid contribution. If Medicaid costs or costs for uncompensated care for indigent individuals were increased, counties in Nevada, who have limited ability to raise revenues, would be hard-pressed to meet new fiscal responsibilities. Medicaid funding also impacts county hospitals - without sustained funding, county hospitals would be forced to shutter their doors. With Nevada's growing Medicaid caseloads and funding challenges counties are concerned about any proposal that increases State or local responsibility for Medicaid funding. Counties do support efforts to improve the efficiency, flexibility and effectiveness of policies and operations.

Funding for Behavioral Health and Substance Abuse Programs: NACO supports measures that maintain funding for the Substance Abuse and Mental Health Services Administration (SAMHSA) block grants, ease the Institute of Mental Disease (IMD) exclusion, expand access to health information technology (HIT), and to develop and expand the behavioral health workforce.

Promote Economic Mobility and Opportunity Across All Counties:

NACO supports federal investments and policies that help advance and leverage both regional and local strategies focused on serving those most in need, including those addressing the root causes of poverty. While national economic indicators are strong, many communities - defined both as geographic places and as certain demographics - lag the overall national performance. Counties are confronting increased demand and caseloads for workforce skills training, mental health and substance abuse treatment, public hospital services (including county-run hospitals and clinics), child protective services and elder care. At the same time, county governments are increasingly burdened and restricted by mounting federal and state mandates, limitations and oversight. To meet these challenges, counties need a strong federal partner committed to achieving better outcomes through local decision-making, flexibility and accountability.



Justice and Public Safety

Mental Health and Jails: County jails are not the appropriate place to treat individuals with mental illness, unfortunately, 64% of jail inmates in the United States have a behavioral health issue. In Nevada, our county jails are one of the largest providers of behavioral health services in the State. NACO supports sensible measures that promote and advance the overall safety of the public and the communities we serve. Within this context, we also support new policies and approaches that would enhance the ability of counties to prevent and treat mental illness and substance use disorders, both in the community and within the context of the criminal justice system. NACO also supports programs and legislation that divert non-violent individuals struggling with mental illness and/or substance use disorders from jails and into treatment programs while protecting overall public safety. NACO also supports the extension of Medicaid to individuals detained in county jails pending disposition of charges and the suspension, instead of termination, of benefits during the incarceration period.

Justice and Mental Health Collaboration Program (JMHCPC):

(Formerly known as The Mentally Ill Offender Treatment and Crime Reduction Act) This program supports local efforts to decrease mental illness in jails through a broad range of activities, including: jail diversion programs, mental health courts, in-jail treatments and transitional services. JMHCPC should be fully funded in the annual appropriations process, and Congress should reauthorize the program.

The U.S. Department of Justice's Byrne JAG: This grant program is a critical part of the federal government's support for local law enforcement programs and initiatives. Byrne JAG funds can be used for local criminal justice programs related to prosecution and courts; prevention and education; corrections and community corrections; drug treatment and enforcement; planning, evaluation, and technology improvement; and crime victim and witness programs (other than compensation). Full funding for the program should be a priority in annual appropriations.



Public Lands & Natural Resources

Public Land Management: As Nevada's Congressional Delegation is aware, Nevada has the largest percentage of federal lands (87%) of any state, and some of our counties (Nye, Esmeralda, Lander, Lincoln and White Pine) have 90 to 98 percent of their total county acreage administered by the federal government. As a result, Nevada's counties find their local economies, fiscal condition, and quality of life influenced considerably by federal land management decisions. For example, public access for recreation is critically important; however, the actual economic benefits from recreation on public lands to some rural economies and county revenues are small to none, while the additional number of visitors increases the demand for county services. For many Nevada communities, resource-based industries that are tied to public lands are their lifeblood. And in all counties, staying apprised of and involved in federal land management planning and conservation efforts is critical, as federal agency decisions are inextricably tied to counties' ability to effectively plan for the future and provide mandated services. Counties provide road maintenance, emergency response, law enforcement and other services on public lands and to public lands users, and also manage assets that require federal permits, leases, or easements. For all these reasons, meaningful engagement with counties is crucial and NACO supports the following: efforts to increase federal land managers' engagement with county governments; appropriate revenue sharing; and the transfer of some federal land to states, at the state's request and in consultation with the counties.

Continued Full Funding of PILT (Payment in Lieu of Taxes): The PILT program provides payments to counties to offset losses in tax revenues due to the presence of substantial federal land acreage within their jurisdictions. PILT payments are necessary to support essential local government services. Because local governments are unable to tax the property values or products derived from federal lands, Nevada's rural counties are increasingly relying on PILT to balance their budgets and provide essential services. NACO supports restoring full mandatory funding for the Payments in Lieu of Taxes (PILT) program, and also supports extending the Secure Rural Schools (SRS) program as a transitional funding mechanism until the federal government fully implements a sustainable, long-term forest management program with adequate revenue sharing for forest counties and schools.

Funding Wildfire Response: NACO supports federal reforms to improve forest management and hazardous fuels management on federal lands, as well as increased funding for fighting wildfires. NACO also strongly supports prioritizing invasive species treatments and coordination with local government and weed and conservation districts to maximize these efforts.

Military Withdrawals: The National Defense Authorization Act will be introduced to Congress for renewal in 2021. The boundaries for both the Air Force's Nellis Test and Training Range and the Navy's Fallon Range Training Complex Naval Station in Nevada are



subject to reauthorization, and both bases will be asking for Congress's permission to withdraw an additional 604,789 acres of land for Fallon and 220,000 acres for Nellis – an expansion of their boundaries in Nevada. Counties have evaluated the impacts to their communities from the proposed withdrawals and have provided extensive comments. Currently, the Fallon Draft EIS does not include either a plan for funding for the mitigation that will be necessary to pay for impacts to infrastructure and communities, and counties are dismayed by the Navy's omission of this in their Draft EIS. NACO urges our delegation to support counties during this process by partnering with NACO and counties to require mitigation plans to be included in any published EIS regarding the Fallon Naval Air Station.

Wild Horses and Burros: By large margin, Nevada has the largest population of wild horses and burros on public lands of any State, and wild horses and burros have long been an integral part of the landscape and heritage of Nevada. Unfortunately, wild horse and burro populations have far exceeded Appropriate Management Levels (AMLs) for some time; horse populations have a growth rate of 15 to 20 percent a year, meaning the herds double in size about every four years. The resulting overpopulation has created serious environmental concerns for horses, wildlife, and the ecology of Nevada's rangelands. This situation also has both direct and indirect impacts on counties. NACO urges our congressional delegation to assure that the Department of Interior complies with the WFRWH&BA so that Nevada's rangelands are managed in a thriving ecological balance.

Sage-Grouse: Stakeholders across Nevada have engaged in significant collaborative conservation efforts and species management planning to prevent a potential listing decision for Bi-state and Greater Sage-grouse populations under the Endangered Species Act. The Department of the Interior is currently revising the Greater Sage Grouse Land Use Plan Amendments, and counties hope this revision considers the needs of the species as well as the planning needs of the State of Nevada and Nevada's counties.

Resolution of RS 2477 Rights of Way: RS 2477 are claims of rights of way on federal lands enacted by Congress in 1866. Counties have many RS 2477 claims across the state that include well-traveled county roads that provide both access for the public and important emergency services. Unfortunately, the process for claiming RS 2477 rights of ways is complicated at best as administrative agencies currently will not make binding decisions to determine validity. NACO supports the resolution of public rights of way across federal lands established by RS 2477 by shifting the burden of proof for determining RS 2477 status from counties to the Federal Agencies. Federal agencies should provide clear and convincing evidence that a road is not an RS 2477 right of way prior to any proposed closure or restricted travel on that road.



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Telecommunications & Transportation

Boosting Broadband and Emerging Technologies: Nevada's Counties support the deployment and availability of emerging technologies that enable equitable economic and educational opportunities to all, including support for the development of policies and funding that may help rural counties with broadband deployment. We remain adamantly opposed to efforts and policy that usurps local authority and circumvents longstanding local zoning laws. We urge Federal policymakers to view counties as co-regulators, providers and partners in extending the benefits of advanced telecommunications and broadband technology. Federal policy makers should support local decision-making and accountability of local elected officials and should oppose any actions that would preempt or limit zoning and existing authority of local governments. We believe Nevada's counties are best poised to make decisions on these issues, fulfilling our responsibility as trustees of public property and protectors of public safety and welfare during the deployment process.

Long-term Transportation Funding and Financing: Nevada's Counties support efforts by the administration and Congress to increase our nation's infrastructure investments to help promote economic development, public safety and overall mobility. Any federal infrastructure package should reflect county priorities, such as: allocating more federal seed capital and matching funds for locally owned infrastructure, increasing local decision-making authority and flexibility, and streamlining and shortening the federal permitting process while still requiring robust public participation and world-class environmental stewardship. Additionally, the long-term solvency of the Highway Trust Fund is critical to meeting these needs and NACO supports efforts to ensure this Fund meets the needs of any proposed reforms.

I-11: NACO supports funding for current and future phases of I-11, including into Northern Nevada. The initial section of I-11 is open to traffic and will provide a significant economic benefit to Southern Nevada as well a significant potential benefit throughout Northwestern Nevada.



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County Financing and Funding

Unfunded Mandates and Preservation of County Revenues: NACO opposes any new unfunded mandates and federal initiatives that fail to protect county revenues. In addition, NACO opposes efforts by any industry seeking to create its own special immunity from state and local taxation. NACO supports efforts that preserve and enable state and local governments to exercise their tax authority.

Support Funding for the Community Development Block Grant (CDBG) Program: NACO strongly supports the Community Development Block Grant (CDBG) program established in the Housing and Community Development Act of 1974. The CDBG program provides increased opportunities for elected county officials to plan, implement, and evaluate local community development and housing assistance programs. For the potential of the CDBG program to be fully realized, it must be fully funded and properly administered. NACO urges Congress, HUD and the Office of Management and Budget to comprehensively review the adequacy of present and future program levels, so that all counties, not just those that receive a direct entitlement, can participate in this important program.

The following links and/or pages are support for agenda
Item 13b

BLM Protest Letter -

http://www.nvnaco.org/wp-content/uploads/2018-12-21-NACO_BLM-Protest-Letter-Final.pdf

USFS DEIS Comments -

<http://www.nvnaco.org/wp-content/uploads/2018-12-20-Final-NACO-Comments-on-USFS-LMPA-DEIS-Combined.pdf>