

NEVADA ASSOCIATION OF COUNTIES (NACO)

Board of Directors' Meeting
January 28, 2022, 9:30am
NACO Conference Room
304 S. Minnesota Street
Carson City, NV 89703

ADOPTED MINUTES

Attendance: President Kirkpatrick, President Elect Lucey, Vice President Higbee, Past President French, Carson City Supervisor Giomi, Churchill County Commissioner Olsen, Clark County Commissioner Gibson, Douglas County Commissioner Tarkanian, Elko County Commissioner Andreozzi, Esmeralda County Commissioner Keyes, Eureka County Commissioner Goicoechea, Lyon County Commissioner Henderson (Alternate), Mineral County Commissioner Hall, Nye County Commissioner Strickland, Pershing County Commissioner Shank, Storey County Commissioner Carmona, Washoe County Commissioner Hartung, White Pine County Commissioner Carson, NACO Fiscal Officer Kalt and NACO Staff (Vinson Guthreau and Amanda Evans)

The meeting was called to order at 9:35 am.

1. **Public Comment.** None was given.
2. **Approval of Agenda.** The agenda was approved on a motion by Commissioner Hartung with second by Supervisor Giomi.
3. **Investiture of 2022 NACO Officers.** Nevada Supreme Court Justice James Hardesty swore in Carson City Supervisor Giomi as Vice President, Vice President Higbee (Lincoln County) as President Elect and President Elect Bob Lucey (Washoe County) as President.
4. **NACO President's Report.** President Lucey stated that he is honored to be the 2022 NACO President and part of the leadership team and welcomed new Board members Commissioner's Carmona and Tarkanian. He thanked Past President Kirkpatrick for her leadership of NACO in 2021 and remarked on her mentorship. President Lucey then appointed President Elect Higbee and Commissioner French to continue their positions as Chair and Vice Chair of the Public Lands and Natural Resources Subcommittee.
5. **NACO Executive Director's Report.** Vinson congratulated the newly installed officers and also welcomed the new members to the Board, highlighting the Public Lands and Natural Resources and Legislative Subcommittees for Commissioner's Carmona and Tarkanian. Vinson then informed the Board that he had filled two of the Association's open positions. Jennifer Berthiaume, scheduled to start February 1 as the Government Affairs Manager, will be based in Las Vegas and Vinson noted that he is looking forward to having a more statewide approach with her in the southern part of the State. Taylor Allison, scheduled to start on March 1 will fill the Public Health Coordinator position. Vinson reminded the Board that the position is being funded by a subgrant from the State and Taylor will focus on supporting rural counties and coordinating with the urban counties. Vinson thanked Commissioner Andreozzi and Carson City Human Services Director Nikki Acker for their assistance in the search and interview process for the position. Commissioner Andreozzi noted that the addition of Ms. Allison is greatly beneficial for NACO and urged the Board to

support her as she develops a plan of operation to help bridge the gaps in the public health arena across the State.

6. **Approval of Minutes of the December 17, 2021, NACO Board of Directors Meeting.** The minutes were approved on a motion by Commissioner French with second by President Elect Higbee.
7. **Presentation from Senior Legislative Staff of United States Senator Cortez Masto regarding Community Project Funding and the Federal Appropriations Process, Kurt Lynch, Legislative Assistant and Appropriations Director, Senator Catherine Cortez Masto.** Mr. Lynch explained that the funding opportunities included in his presentation are outside the normal federal grant's and have a different application process, essentially that opportunities being discussed are direct funding through the appropriations process. Specifically, that Congressional Subcommittees have specific accounts through which counties can request funds directly through Delegation offices in a streamlined process. He then gave a high-level overview of the Subcommittees that hold the accounts and the types of projects that can be funded. Mr. Lynch concluded his presentation with tips on how to submit effective applications. Past President Kirkpatrick noted that it is difficult to find grant writers and inquired as to if there are options within the funding to higher them through the administration allotment. Mr. Lynch reiterated that this process is less onerous than the traditional grant process. Trevor Dean, a Senior Policy Advisor in the Senator's office, noted that the Senator's office has been discussing ideas for grant writing assistance with NSHE, economic development authorities and the State Grant Office on ways to find a pool of grant writers. He also noted that the Senator's staff is available for technical assistance. Mr. Dean also encouraged the consideration of submitting projects that are in process or nearly complete to offset budget impacts. Past President Kirkpatrick discussed the creation of a working group with the Senator's office to address rural transportation needs, specifically noting undrivable roads are a public safety issue. Mr. Dean responded by noting additional grant funding available in the newly passed Infrastructure Law. He also discussed reduced match requirements and technical assistance being made available for rural areas based on population caps and percentages of public lands. Commissioner Hartung noted that government often over complicates simple things with complex rules and discussed issues with being able to effectively spend the funding within a fiscal year. The Senator's staff responded by reiterating the consideration of submitting projects that are in process or nearly complete to offset the projects budget impacts. Past President Kirkpatrick also noted that the smaller counties can do more with less money than the larger more urban counties and stressed the idea that no money should be left on the table when it can be utilized effectively regardless of the size of the county. President Lucey discussed the fact that installing new roads in the rural counties and water projects can take multiple years to complete due to the planning process and inquired as to if projects have been submitted in stages. Mr. Lynch stated that yes, projects have been submitted in stages or in parts to different Subcommittees based upon where the most effective funding was available and gave an example of awards given to Carson City. Jennifer Crowe, the Senator's Northern Nevada Director reiterated that their office is available to talk through ideas and projects to maximize not only existing funding but increase the odds of approval for federal funding. Commissioner Strickland noted that Ms. Crowe had been very helpful with funding projects in Nye County. Vice President Giomi noted that Carson City's expected funding had not been fully approved through the appropriations and gave an overview of the process they went through in requesting the funds, specifically noting, projects that are submitted with funding already in place or expended receive higher consideration in the process, reiterating that the programs being discussed are essentially 'earmark' funds and different and separate from regular grants.

8. **Review and Discussion of NACO's 2022 Federal Priorities.** President Lucey discussed the upcoming National Legislative Conference and Vinson then referred to the document included in the agenda packet. He discussed the review process of the document and highlighted the changes and additions to the previously approved Federal Priorities. He informed the Board that the Public Lands and Natural Resources Subcommittee had discussed the document and suggested the addition of inclusion of language that acknowledges the support received by the Delegation and the need to be included in consultation on the 30x30 Rule that the Board had previously voted to officially oppose. Vinson then noted that it is customary to not make expansive changes to the Federal Priorities submitted at the start of a Congressional Session. The Federal priorities were approved with the suggested additions on a motion by Vice President Giomi with second by Commissioner French.

9. **Discussion and Approval of By-Laws of Newly Established Nevada Association of Counties Committee of County Managers and Administrators.** Vinson informed the Board that the Committee is something that he had been interested in forming for some time and that its purpose would help further the goals of NACO to support counties, noting that growth experienced in the past few years has impacted the way counties are conducting business and providing services. He also noted that the Committee would allow administrative consultation and coordination. Vinson also informed the Board that he had reached out to members of the Board and County Managers in the development of the By-Laws. President Lucey stated that he was excited about the new Committee and that it would further allow for connectivity across the state and encourage shared resources. Commissioner Henderson stated that it is a great idea and long overdue, however, he had issue with the language regarding the Chair, noting that some counties don't have County Managers and that in years where the Association President's County does not have one that the Chair be selected by the Committee. Vinson thanked the Commissioner for his suggestion and noted that the document was brought to the Board of exactly this type of feedback. The By-Laws were approved with the inclusion of Commissioner Henderson's requested change, on a motion by Commissioner Hartung with second by Commissioner Carson. Commissioner Carson noted that the Committee is a wonderful idea and will be of significant help to White Pine County's first ever County Manager who would be starting on February 2nd.

10. **Approval of NACO's Investment Reports for December 2021.** Vinson referred to the reports included in the agenda packet, reminding the Board that they are brought to them for approval at the minimum on a quarterly basis, but efforts are made to bring them monthly for review. He also reminded the Board that Moreton Asset Management also provides the Board an annual review, which was conducted in September during the Annual Business Meeting. The investment reports were approved on a motion by President Elect Higbee with second by Vice President Giomi.

11. **Discussion and Possible Ratification of Commissioner Miller to Replace Commissioner Naft as an Appointment by the Governor for NACO's Seat on the Nevada Commission on Nuclear Projects.** Vinson reminded the Board that the appointment has traditionally been a Clark County representative due to the impacts within the jurisdiction. He informed the Board that Commissioner Naft had requested that Commissioner Miller replace him on the Commission. Commissioner Miller's appointment was approved on a motion by Commissioner Gibson with second by Commissioner French.

12. Discussion and Approval to Replace NACO's Executive Director on the Nevada Executive Committee on Traffic Safety. Vinson referred to the backup included in the agenda packet and informed the Board that one of the main tasks of the Committee is to approve the State's Highway Safety Plan. He also informed the Board that NACO is specifically called out in the Legislation that created the Committee and that he has served as the Association's representative since the formation. He informed the Board that Clark County had recently created an Office of Traffic Safety, the first at the local level and brought Andrew Bennett on staff to fill the role, noting that Mr. Bennett previously served as the State's Director of Traffic Safety and was recently named the Chair by the Committee. Vinson also noted that Mr. Bennett leads the Zero Fatalities campaign and that he will bring a valuable county voice as the Board's representative to the Committee. Mr. Bennett stated that it would be an honor to continue to serve as the Chair of the Committee as the official representative of NACO. Commissioner Gibson stated that Clark County is thrilled to have Mr. Bennett on staff and that having him as the Association's representative is a wonderful idea. Mr. Bennett's appointment was approved on a motion by Commissioner Gibson with second by Commissioner French.

13. 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.** Chair Higbee turned over the update to Mr. Jeremy Drew from Resource Concepts Inc., who is currently contracted to provide support to NACO in the absence of a staff Natural Resources Manager. Mr. Drew informed the Board that the bulk of the Subcommittee's discussion was on the comment letters that would be discussed under sub-items c and d. He informed the Board that Vinson had also discussed legislative talking points for meetings being planned with the Federal Delegation.
- b. **Discussion and Possible Approval of NACO's appointment to the Nevada Advisory Board on Outdoor Recreation.** Vinson reminded the Board that this item was brought to them in December, and it was decided to send the item to the Subcommittee for discussion prior to making a decision. He informed the Board that Elko County Natural Resources Manager, Curtis Moore, Commissioner Hall, and Commissioner French had all expressed interest in filling the position, noting that the Subcommittee had concluded that all three individuals are qualified to fill the position and supported them being put forth to the Governor for consideration. Vice President Giomi stated that two of the nominees are elected officials and members of the NACO Board and that he would prefer to see a Commissioner on that Board. Vinson gave the Board an overview of the appointment process, noting that three names must be put forth for the Governor's consideration, but that preference can be included in the nomination letter. Commissioner Hartung then suggested ranking the nominees with Commissioner French in first position followed by Commissioner Hall then Mr. Moore. President Lucey acknowledged Commissioner French's commitment to the Board and subject matter knowledge but noted that Commissioner Hall is also very engaged, knowledgeable, and comes from a unique geographical position in the center of the state with substantial amounts of recreational use. It was then suggested that all three be put forth with the letter including the Board's preference for the appointment of an elected commissioner vs. an appointed staff member. The item was approved as suggested on a motion by Commissioner Hartung with second by Vice President Giomi.
- c. **Discussion and Possible Approval of Comment Letter on Federal Rulemaking for the Waters of the United States (WOTUS).** Mr. Drew referred to the letter in the agenda packet, noting that it was based on previously submitted comments and

Board action. He then informed the Board that Eureka County had submitted suggested revisions that were discussed and approved at the Subcommittee meeting earlier in the morning, specifically noting the suggestion that the rule making be postponed until a case being considered by the Supreme Court was settled. He also informed the Board that the case was not announced until after the letter was included in the agenda distribution. President Lucey inquired as to when the case was on the docket. Mr. Drew stated that it was not currently assigned and that the retirement of Justice Breyer could delay the process. The comment letter was approved as suggested by the Subcommittee on a motion by Commissioner French with second by Commissioner Hartung.

- d. **Discussion and Possible Approval of Comment Letter on Greater – Sage Grouse Land Use Planning Amendment.** Mr. Drew again brought the Boards attention to the letter included in the agenda packet, noting that the comments were again based on previous comments submitted. He discussed specific items included within the Subcommittees review, specifically the need to identify important topical areas and thanked Eureka County and their legal counsel Laura Granier for their input. He also discussed the inclusion of language questioning why the BLM isn't implementing their 2020 plan and the need to consider more current data, including the NEAP project completed by UNR with coordination and cooperation of the Agency. Commissioner Hartung noted that the letter contained language regarding wild horse and burro impacts but didn't address predation by Ravens. Commissioner French noted that predation had been discussed in previous comments which would be included as attachments to the letter. Mr. Drew suggested the inclusion of a bullet point addressing that specific predation issue but noted that the BLM doesn't have authority over the protected species. He also noted that existing USGS science includes a nexus that poor habitat increases predation. Commissioner French gave an overview of previous comments submitted and how the issue was covered. Commissioner Goicoechea noted that scoping process discussions had included the issue of predation and purview is an issue, noting that it is suggested that FWS conduct a population analysis through NEPA. The letter was approved with the inclusion of a predation bullet point on a motion by Commissioner Goicoechea with second by President Elect Higbee.
14. **NACO Committee of the Emeritus Update.** Vinson informed the Board that work is being done on the Committee's first interim workshop on the Infrastructure Bill, planned for early March and that the Committee had approved the idea of Associate Members sponsoring the workshops.
15. **Updates from Members on the National Association of Counties Board, Western Interstate Region Board, and Individual Counties.** President Elect Higbee informed the Board that he had missed the last Board meeting due to an injury. Past President Kirkpatrick informed the board that she is continuing work on obtaining workforce development dollars. Commissioner French had no new items from the WIR Board. Updates were given by Commissioners on activities within their counties.
16. **Public Comment.** None was given.

The meeting was adjourned at 11:33 am.