

NEVADA ASSOCIATION OF COUNTIES (NACO)

Board of Directors' Meeting
May 21, 9:30 a.m.
Carson City Community Center
Robert 'Bob' Crowell Board Room
851 E. William St.
Carson City, NV

ADOPTED MINUTES

Attendance: President Kirkpatrick, President Elect Lucey, Vice President Higbee, Past President French, Carson City Supervisor Bagwell, Churchill County Commissioner Olsen, Clark County Commissioner Gibson, Douglas County Commissioner Gardner, Elko County Commissioner Andreozzi, Elko County Commissioner Steninger, Esmeralda County Commissioner Keyes, Eureka County Commissioner Goicoechea, Lincoln County Commissioner Lister, Lyon County Commissioner Keller, Mineral County Commissioner Hall, Nye County Commissioner Strickland, Pershing County Commissioner Shank, Storey County Commissioner Gilman, Washoe County Commissioner Hartung, White Pine County Commissioner Carson and NACO Staff (Dagny Stapleton, Vinson Guthreau, Colby Prout, and Amanda Evans)

The meeting was called to order at 9:31 a.m.

1. **Public Comment.** Nate Helton from Senator Jacky Rosen's office reminded the Board to reach out to him if there is ever a need for assistance from the Senator. Bill Payne, Dean of the College of Agriculture, Biotechnology, and Natural Resources and UNR thanked the Board and Association for all the work done on bills in the Legislature that affect the College.
2. **Approval of Agenda.** The agenda was approved on a motion by Commissioner Olsen with second by Commissioner Carson.
3. **NACO President's Report.** President Kirkpatrick remarked on the end of the Legislative Session, noting that she had spoken with leadership about backfilling the approved cuts to the State budget and had asked for a list of the cuts expected to be restored. She also noted that the members of the Assembly had been most receptive to the concerns of NACO. President Kirkpatrick then discussed Cooperative Extension and reminded the Board to renew their MOUs with the program. President Kirkpatrick informed the Board that she had participated in multiple National Association of Counties (NACo) meetings regarding the new stimulus dollars, the complexity of the allowable uses of those dollars and the need to have plans submitted to Treasury by the 31st of August. President Kirkpatrick concluded her remarks by encouraging the gathering of county fiscal representatives to discuss the allowable uses and create a template for the submission of individual county plans to show a statewide collaborative effort of the best use of those funds.
4. **NACO Executive Director's Report.** Dagny discussed the upcoming NACo Annual Conference in Maryland, clarified that the dates for the event are July 9-12. Commissioners Gardner, French, Lister, Higbee, Hall, Kirkpatrick and Strickland indicated that they were planning on attending in person. Dagny informed the Board that she had discussed the recent opioid settlement with the Attorney General's office and an agreement on the allocation of those dollars would need to be reached. She then requested that each county inform her of who their representative would be to the working group being formed to determine the allocation of those funds, the first meeting of the working group will be June

14th. She also reminded the Board that many counties hired the same council as the State and encouraged them to have a county representative, who most understands the impacts of the crisis assigned to the working group. Dagny reminded the Board that the appointment process for participation in NACo Policy Committee's is open and requested that anyone wishing to serve on one or more of those committees to let staff know so they could be enrolled. Dagny concluded her remarks with an overview of the Board for the Fund for Accident Care to Indigent Persons and informed the Board that seats are open on that Board, and anyone interested in serving should contact her.

5. **Approval of Minutes of the April 30, 2020 NACO Board of Directors Meeting.** The minutes were approved on a motion by Commissioner Lister with second by Past President French.
6. **Discussion of Upcoming NACO Board of Director's Meeting Dates, Meeting Formats, and Other Events.** President Kirkpatrick reminded the Board that Past President French's reception was cancelled due to COVID-19 and that he was owed a celebration. Past President French appreciated the sentiment and suggested an evening event would be best to allow for a more relaxed atmosphere. The Board discussed having something the evening prior to the June meeting as well as possibly in July when the Board is scheduled to meet in Clark County. The Board also discussed having a strategic planning session in September. There were several calendar conflicts among the Board members and staff was directed to work on the issue off-line and bring suggestions back to the Board. No action was taken on the item.
7. **Discussion of China Spring and Aurora Pines Youth Camp Working Group.** Dagny gave the Board an overview of the item which stemmed from cuts to the Camp's budget by the Legislature. She discussed the plan presented to the legislature that was included in the packet, which included NACO developing a working group for long term planning. She gave an overview of the proposed dates for the working group to meet and noted that staff would take the lead on the planning of the meetings. Vice President Higbee remarked that many of the rural counties pay a substantial amount for the Camp and rarely need to make use of the program. Commissioner Lister inquired as to if the cut was to the program budget as a whole or if it was just the State's contribution. It was clarified that the cut was to the State's portion and the impetus behind the cut was to make State funding more equitable. Specifically, because the State previously funded the program at \$2million, while only funding the same program in Clark County at \$500,000.00. It was noted that the Camp's could continue to operate as is for the first year, but funding would need to be determined for the second year of the biennium. The Board discussed the need to not only discuss funding but the programming at the Camp's and the need for equity in the funding formula for those counties that rarely, or historically haven't, used the facility. Dagny noted that the agreement reached with the Legislature included no increase in county assessments for the biennium as well as a staggered implementation of the cuts. Commissioner Gardner commented that it was shortsighted of the Legislature to make such drastic cuts to the program, noting that, should the Camp close, the alternative would be sending children into the penal system. President Kirkpatrick remarked that NACO always works well together and that conversations around the issue would be robust and have positive results. She also noted that Clark County had not asked for the bill, but that the County funds their camp. She also noted that legislation at the federal level is moving away from including kids in the institutional system and that these types of camps are gaining in prevalence. Past President French inquired as to whom could participate in the working group. Dagny clarified that anyone from the county could participate but they would need authority to act on the county's behalf and communicate effectively with the individual commissions. Supervisor

Bagwell noted that the Juvenile Probation Officers would be participating in the working group. Authority was given to staff to coordinate the working group on a motion by Commissioner Gardner with second by Commissioner Olsen.

8. **Update on Federal COVID Relief Dollars (the American Rescue Plan Act (ARPA)), Including Guidance and Possible Uses.** President Kirkpatrick referred to the Treasury guidance included in the agenda packet and informed the Board that NACo is holding weekly webinars to help counties understand the different aspects of the guidance. She strongly encouraged the Board and county fiscal staff to attend these webinars as plans for the use of the funds must be submitted by August 31st. Dagny noted that the ARPA guidance is clearer than that of the CARES Act and FAQ's and Summaries of the guidance are also available. Dagny also encouraged the Board to have their District Attorney's review the guidance and to submit any questions to be pushed up to NACo, who is in contact with Treasury. President Kirkpatrick also informed the Board that she had requested the distribution of a presentation created by NACo that outlines the allowable uses of the funds, and that a meeting would be held the following week on the infrastructure piece of the Act. The Board discussed ideas on how the funds could be most effectively used and expressed concern with sustainability of the creation of new programs utilizing the funds. Staff was directed to work with Lyon County Comptroller, Josh Foli on a presentation and workshop for Commissioners and staff on the use of the funds.
9. **Presentation Concerning Current Drought Conditions and Statewide Drought Response, Steph McAfee, State Climatologist, and Bunny Bishop, Water Planning and Drought Resiliency Chief, Nevada Division of Water Resources.** Dr. McAfee gave the Board an overview of the current drought situation in the State, noting that the current drought is the 4th drought the State has experienced since the US Drought Monitor was created in 2000. Dr. McAfee informed the Board that the current drought began in 2020 and has become more severe quicker than past droughts. She gave the Board an overview of the causes of the current drought, including an overview of precipitation and current reservoir and lake water storage. Dr. McAfee concluded her presentation with an overview of how the current drought situation throughout the West is expected to affect the wildfire season. Ms. Bishop presented on the State's response to the drought. She referred to the complex nature of drought response in the driest state in the nation, including the many types of drought that affect Nevada. Ms. Bishop discussed the ways that the Division created their response plan and the four task forces created to address specific regional issues related to the drought. She stressed the need for collaboration with the different land management agencies and the importance of county participation in the response. Commissioner Gardner informed the Board that Douglas County had recently approved a proclamation encourage residents to make a voluntary 10% reduction in their water usage. He also requested that any counties with ordinances regarding water conservation (xeriscape, pools, etc.) to please share them. Commissioner Lister inquired as to how the data presented was sourced or ground truthed. Ms. Bishop stated that the data was sourced from several different areas and that ground truthing was completed in part through the collection of data from weather stations throughout the state. The item was concluded with thanks to the counties for their support and water conservation efforts.
10. **Update on NACO Bills and Other Policy Issues Affecting Counties in the 2021 Session of the Nevada Legislature.** President Kirkpatrick thanked NACO staff for all their hard work during the session and referred the Board's attention to the Bill Tracker included in the agenda packet. She then noted that there was only one week left of the Session and that the deadline for second house passage, for all bills not declared exempt, was that day. Vinson gave the Board an update of the Bills brought by NACO. He informed the Board that

AB1, which requires training on local government for all new legislators had been signed by the Governor. He then told the Board that AB2 which makes changes to how many gubernatorial appointed boards individuals can serve on, and AB33 which makes changes to the determination of paternity had been submitted to the Governor for signature. AB424, which would make changes to pre-trial release was discussed next. Vinson informed the Board that unsolicited fiscal notes had been submitted on the requirement to hold an initial court appearance within 24-hours r. He noted that a meeting had been held with the bill's sponsor on an amendment to change that requirement to 72 hours, but that the amendment had yet to be accepted. An amendment to make a change to 48 hours had also been discussed but it was noted that change would not remove the fiscal note. County concerns over the timeline were brought to the Governor's office but it was unclear what amendment would be brought to the bill's hearing that day. Vinson thanked the counties for their hard work on the issue, noting that it is a fiscal impact in all counties, not just the rurals. Dagny noted that the bill has potentially the largest rural fiscal impact of the session. She informed the Board that staff will continue to work on the issue and noted that the bill is not exempt, so it would have to pass that day, or it would die. Dagny then discussed the mining tax bill. She informed the Board that she had been told that a deal had been reached that was expected to include language creating a new tax outside of net proceeds. She clarified that the industry had assured that no layoffs would occur with passage of the bill and that county net proceeds would not be affected. Commissioner Goicoechea noted that he had been told the draft language allowed for a deduction from net proceeds, and if that were the case that Eureka County would oppose the bill. Commissioner Steninger informed the Board that Elko County had not been contacted regarding the bill and the Board's discussion was the first he had heard of the proposal. Dagny inquired if the Board would be interested in having a conversation with the mining industry that afternoon and if the deduction from net proceeds was included if staff was authorized to oppose the bill. Commissioner Lister inquired as to the legality of such a specific tax, and President Kirkpatrick stated that it depended on the language. President Kirkpatrick then discussed proposals for green tax abatements and stressed that it is important that counties are not affected by any abatements. President Elect Lucey brought the discussion back to the mining tax proposal and inquired as to the Board's appetite to allow Dagny to oppose the bill based on the outcome of the afternoon call with the affected counties. The Board unanimously voted to allow the subgroup of affected counties to make the final determination of the Association's position on a motion by President Elect Lucey with second by Commissioner Carson. Dagny informed the Board that an amendment had been attached to SB287, which would give land grant status to UNLV. The amendment holds the Extension program harmless but assured the Board that the bill is still being watched very closely. The final issue discussed was last minute increases to rural CPS assessments and Dagny shared with the Board that the issue would be discussed with the State after the end of the legislative session. No further action was taken.

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

- a. **Updates from the Public Lands and Natural Resources Subcommittee.** Colby informed the Board that the Subcommittee had discussed the 30 by 30 initiative. The preliminary report was released by the Biden Administration and outlined eight broad principles as guidance for how they want to achieve their conservation goals. The Subcommittee expressed concern with the accuracy of information included in the Order and will continue discussion on the issue. The Subcommittee also discussed the greater sage grouse and the ongoing litigation in Idaho in which Humboldt, Eureka, and Elko counties have intervened. A recent status update filed

by the Administration hints at policy changes. Colby referred to a memo that is in process that includes the history, status, and future insights regarding the issue and that it would be finalized and distributed soon. Past President French discussed wild horse and burro issues, noting that the BLM is backing away from emergency gathers. He also referred to the drought situation and how that will affect the overpopulation of the animals.

12. **NACO Committee of the Emeritus Update.** Past President French, Chair of the Committee, informed the Board that a meeting would be held on the 4th of June and an update would be provided to the Board at the next meeting.
13. **Updates from Members on the National Association of Counties Board, Western Interstate Region Board, and Individual Counties.** Commissioner Steninger informed the Board that he would be attending the WIR Conference the following week and would provide an update at the June meeting. Board members also gave updates on activities within their counties.
14. **Public Comment.** Commissioner Lister referred to issues with Lincoln County's TV District and asked any Commissioners that had issues with their rental contracts with the State to contact him.

The meeting was adjourned at 12:05 p.m.