

NEVADA ASSOCIATION OF COUNTIES (NACO)

Board of Directors' Meeting
December 15th, 2017, 9:30 a.m.

ADOPTED MINUTES

ATTENDANCE: President Phillips, Vice President Waits, Mineral County Commissioner Tipton, Elko County Commissioner Dahl, Washoe County Commissioner Herman, Lincoln County Commissioner Higbee, Lyon County Commissioner Alt, Humboldt County Commissioner French, Storey County Commissioner McGuffey, Esmeralda County Commissioner Bates, Elko County Commissioner Steninger, Churchill County Commissioner Olsen and NACO Staff: (Dagny Stapleton, Amanda Evans and Tori Sundheim)

REMOTE ATTENDANCE: President Elect Weekly, Clark County Commissioner Kirkpatrick and White Pine County Commissioner Perea

OTHER ATTENDANCE: Christopher Robinson, DETR; Dr. Ivory Lyles, University of Nevada Cooperative Extension and Lee Bonner, NDOT

The meeting was called to order by President Phillips at 9:31am.

1. **Public Comment.** None was given.
2. **Approval of Agenda.** The agenda was approved on a motion by Commissioner Tipton with second by Commissioner Bates.
3. **NACO President's Report.** President Phillips thanked President Elect Weekly for conducting the November meeting in his absence.
4. **NACO Executive Director's Report.** Dagny informed the Board that the Commission on Aging is looking for a county representative and that any Commissioners interested in serving should apply for appointment directly; additional information was included in the meeting materials. She welcomed Elko County Commissioner Steninger to the Board and noted that Commissioner Dahl will still serve on the Board as a WIR Representative as outlined in the By-Laws. She reminded the Board that the counties that have NACO Officers and representatives on the NACo and WIR Boards have an automatic appointment to the NACO Board and so they could also have an additional commissioner from their counties serve on NACO. Dagny informed the Board that the NACo Legislative Conference will take place at the beginning of March in Washington D.C. She informed the Board that staff is following the interim legislative committees and the development and adoption of the regulations associated with bills approved during the 2017 session. Staff is currently working to review and weigh in on regulations associated with the implementation of recreational marijuana and renewable energy tax abatements. Amanda informed the Board of issues associated with the "end of life" status of the NACO office's current telephone system and explained that a new system has been purchased and should be functional in January. In the meantime she asked the Board to contact staff via email or cell.
5. **Approval of Minutes of the November 17, 2017 NACO Board of Directors Meeting.** The minutes were approved on a motion by Commissioner Tipton with second by Commissioner Bates.
6. **Discussion and Approval of NACO's 2018 Budget.** Dagny reminded the Board that the draft budget was presented and discussed at the November Board meeting. She provided an answer to the question posed by Commissioner Thaler at that meeting, that any bonus pay approved would not accrue retirement benefits. The budget was approved on a motion by Commissioner Tipton with second by Commissioner French.

7. **Introduction and Update from the Director of the University of Nevada Cooperative Extension, and CABNR Associate Dean for Engagement, Ivory Lyles.** Dr. Lyles distributed Cooperative Extension's Annual Report to the Board and asked that the Board call him at any time with any questions. Dr. Lyles spoke about his background and career prior to coming to Nevada. He stated that one of his top priorities is to enhance and improve communications with NACO and the individual counties and Commissioners. He informed the Board that within the next three months the Cooperative Extension Advisory Council and that Commissioner Kirkpatrick and Dagny have already been asked to serve on the Council. He informed the Board that he had met with President Johnson regarding the proposed budget enhancement and the 2019 legislative process and noted that the President asked him to relay that he intends to deliver on this promise to budget an increase in funding for Extension. He said that that proposed enhancement will go before the Board of Regents at their April meeting for approval. He also spoke about Extension programming and the institution of a small business development program in southern Nevada; he said that MOUs had already been signed with the program partners. Commissioner Kirkpatrick inquired as to his ability to give both her and Commissioner Weekly the information on the program he had just spoken of and Dr. Lyles promised to reach out immediately. Commissioner French noted that during the interview process Dr. Lyles had noted that he would be an advocate for the 4-H program and inquired as to what was being done to support the program in the rural communities. Dr. Lyles informed the Board that this was a priority for him and that he is in the process of reviewing the program. He said that staff has been instructed to provide two white papers regarding the program, one specific to individual county staff and one specific to the programs and structure of each county program. He said that his goals regarding 4-H are the reinstatement of individual county advisory committees, concentration on STEM programs and the enhancement of the camp facility to include a conference center. Commissioner Alt noted the need to educate on public lands issues and Commissioner Herman noted that while STEM programs are important to the urban areas it is vital to maintain agriculture programs in the 4-H and Extension programs. Commissioner Kirkpatrick stated the agriculture programs are just as important to Clark County as they are in the rural communities, specifically noting that existing programs in Clark County have implemented community gardens in 113 schools in cooperation with non-profit groups and that 4-H programs have helped educate kids about healthy eating and where their food comes from. President Elect Weekly thanked Commissioner Kirkpatrick for putting that information on the record and reiterated that Extension was another program that brought the urban and rural areas of the state together.
8. **Discussion Regarding the Opioid Epidemic in Nevada and Options for Counties to Engage in Legal Action Against Opioid Manufacturers.** Dagny informed the Board that the item had been placed on the agenda because of discussion regarding the potential for counties to file suits to recover damages for the costs associated with the opioid epidemic. She noted that NACo has been engaged in the issue and has a task force dedicated to the situation. Information included in the agenda packet described actions that counties across the country had taken and included a link to a Nevada database with county specific information on impacts from the epidemic. She noted that Nevada is one of the most affected states in terms of deaths from Opioids, and that in Lyon County in 2015, for example 1200 prescriptions had been written for every 1,000 citizens. She explained that she had been informed that law firms had been reaching out to some of the counties and that Clark County had recently voted to engage with a Nevada firm with experience in national class action suits to represent them in a lawsuit against the opioid manufacturers. Lawsuits like this are paid for on a contingency basis so that counties do not pay any legal fees for the representation. She went on to explain that the AG is working on this issue as well and is part of a group of over 40 state AG's that conducted an investigation into the actions of the pharmaceutical companies and have already entered into settlement talks. She shared that a group from NACO had a meeting with the AG's office to gather information about the State's efforts. The group learned that the damages the state is claiming are somewhat different than those that counties can show, and that the AG's intent is to share any settlement funds with counties; however, any funds received by the state would also have to go before the Legislature for disbursement. Commissioner Kirkpatrick noted that Clark County made the decision they did because they felt that the county needed the ability to plan ahead for long term local needs and have the ability to direct the funds received. Vice President Waits noted that a large focus of the NACO Legislative Conference will be on the epidemic. Commissioner French inquired as to other counties who had been approached by law firms and it was noted that Washoe and Elko Counties had been contacted. Commissioner Higbee inquired as to the need to sue vs. asking the pharmaceutical companies to assist in rectifying the problem. Commissioner Kirkpatrick informed the Board that the

legislature had begun working on the issue in 2013 but they received pushback from doctors and pharmacies. Commissioner McGuffey inquired as to if there is a number on non-problem usage. Commissioner Kirkpatrick noted that the focus has been and needs to be on problem usage and how prescriptions are written. Commissioner Olsen noted that there is evidence in Churchill County that 85-90% of the jail population is addicted to some form of substance and 2X as many women are jailed than 20 years ago. Commissioner French noted that he had attended the meeting with the AG's office and following the meeting he asked the 6th judicial drug court for the impacts to Humboldt County. He was told that 90% of those in the drug court system started with prescription Opioids or marijuana and then progressed to Heroin. He also noted that there are significant impacts to the cost of county services caused by the epidemic. Commissioner Tipton also noted that the Mineral County Sheriff has informed her that 50% of returning inmates have mental health issues and have addiction issues. Dagny informed the Board that some of the counties that have settled hadn't gone to court as the companies had come to the table to discuss settlement after the cases were filed. She also suggested that rural counties have their DA's take a look at the issue if there was interest. Staff was directed to inquire whether Clark County's firm would be willing to come speak to the Board and to bring additional information back to the Board at the next meeting. No action was taken beyond the direction to staff.

9. **Presentation from the Department of Employment, Training, and Rehabilitation on State Economic Data Available to Counties, Christopher Robison, Supervising Economist.**

Christopher Robinson gave the Board a high level overview on the data specific to and available to counties through the Department. Resources available include publications, presentations, trainings, online job ads and career resources as well all individual county profiles and projections. Mr. Robinson informed the Board that a business directory is being developed that will show businesses operating in the counties via several different factors and encouraged the Commissioners to reach out to the Department with any questions or to request publications or trainings. Commissioner French inquired about statistics regarding labor participation and Mr. Robinson noted that they are working in partnership with the Census Bureau on those numbers and why people are not participating in the labor market. He noted that those results would be based on survey results and the answers given by participants.

10. **Presentation and Discussion on the Coalition Against Bigger Trucks Initiative, Pam Mann.** Ms.

Mann gave a presentation on the Coalition's request for support to limit the size of semi-truck and trailer combinations on federal highways. Her presentation included information on crash statistics, bridge stress, pavement damage, and service violations. She requested the Association support the initiative. Paul Enos of the Nevada Trucking Association noted that Nevada law already exceeds the parameters set forth in the Coalition's proposal. He noted that dynamics are different for small carriers vs. those that affect national highways. He requested that the Association take no action on the item. Commissioner Dahl asked how Nevada compared to Arizona and Mr. Enos stated that Arizona does not have longer combination vehicles other than a small stretch of I-15 between Nevada and Utah that required Congressional action in 2016 to allow the combination vehicles. Commissioner Olsen noted that requiring smaller trucks will drive costs up for small producers and result in higher consumer prices. He also noted that the drivers in the larger vehicles with multiple trailers are veteran drivers. Commissioner French took issue with the mandatory language of the federal proposal, and Ms. Mann noted that all state DOT's have the ability to allow larger truck/trailer combinations as needed and reiterated effects on local roads. The Board voted to take no action on a motion by Commissioner Alt with second by Commissioner Herman.

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

- a. **NACO's Engagement in the Bureau of Land Management's and U.S. Forest Service's Greater Sage Grouse Resource Management Plan Amendments.** Tori informed the Board that BLM Scoping Comments had been submitted on the 1st and that she is collecting comments submitted by others. She noted that the Forest Service is on a different schedule and the those Scoping Comments will be submitted on January 5th. She informed the Board that she will be adjusting the comments submitted to the BLM to the requirements and of the Forest Service. She requested the Commissioners to contact her with any questions or additional information on the comments and/or how participation would look going forward in the process.

- b. **The Ongoing Lawsuit Filed by the State of Nevada and Nine Nevada Counties Regarding the BLM's and U.S. Forest Service's Greater Sage Grouse Resource Management Plans.** Tori informed the Board that there are upcoming meetings on the issue and additional information would be provided at a future meeting.
 - c. **Comments on the U.S. Fish and Wildlife Service's Proposed Mitigation Policy Revisions.** Tori noted that the Service has been ordered to rewrite their policies finalized in 2016 by Executive Order and that Comments had been submitted at that time. She referenced the submitted comments included in the agenda back up, noting that she would be conducting a review of the order and the comments prior to the Jan 5th submission date and she was instructed to submit the comments as written, or have any changes reviewed by the Public Lands Committee prior to submission, on a motion by Commissioner Tipton with second by Commissioner French.
 - d. **Cooperating Agency Status for the U.S. Forest Service's Upcoming Noxious Weed Management Plan.** Commissioner Tipton informed the Board that the Public Lands Committee recommends that each county have their own Cooperating Agency Status and name the Association and Tori as a point of contact. Staff was also directed to apply for Cooperating Agency Status as an Association on a motion by Commissioner French with second by Commissioner Tipton.
 - e. **The Center for Biological Diversity's Lawsuit against the U.S. Fish and Wildlife Service Seeking to Vacate their Decision not to List the Bi-State Sage Grouse as an Endangered Species and NACO's Motion to Intervene on behalf of the Service.** Tori reminded the Board that the reply brief was submitted previously and informed them that a reply is expected the same day. She noted that the reply will be due February 6th and that the hearing will be on March 16th at 9:30am in San Francisco.
12. **National Association of Counties and Western Interstate Region Board Member Updates.** Commissioner Tipton informed the Board that she had attended the winter meeting in Texas the previous week and that she brought materials back for the group. She noted that the winter meeting is more of a housekeeping meeting and that a lot of workshops centered around President Brooks' initiative on childhood poverty. She also noted that she attended the WGA meeting in Arizona. Commissioner Dahl reiterated the report he had previously given on the last WIR meeting and that fire will still be the number one issue of the WIR Board for the year.
13. **NACO Board Member Updates.** Updates were given by members of the Board.
14. **Public Comment.** None was given.

The meeting was adjourned at 1:55pm