

NEVADA ASSOCIATION OF COUNTIES (NACO)

Board of Directors' Meeting
September 26, 2019, 8:00 a.m.
Sparks Nugget
Cascade 11100 Nugget Ave.
Sparks, NV 89431

ADOPTED MINUTES

ATTENDANCE: President Waits, President Elect French, Elko County Commissioner Dahl, Elko County Commissioner Steninger, Lander County Commissioner Allan, Lincoln County Commissioner Lister, Lincoln County Commissioner Higbee, Lyon County Commissioner Keller, Mineral County Commissioner Price, Nye County Commissioner Wichman, Pershing County Commissioner Shank, Storey County Commissioner Gilman, Washoe County Commissioner Hartung, Washoe County Commissioner Lucey and NACO Staff (Dagny Stapleton and Vinson Guthreau)

OTHER ATTENDANCE: Nevada State Senator Pete Goicoechea, Douglas County Commissioner Rice, Humboldt County Commissioner Tipton, Lander County Commissioner Ancho, Lincoln County Commissioner Pearson, Elko County Manager, Rob Stokes; Humboldt County Manager, Dave Mendiola; Washoe County Assistant Manager, Kate Thomas and Lee Bonner, NDOT

The meeting was called to order at 8:29 a.m.

1. **Public Comment.** Mr. Chuck Joseph with the American Society of Civil Engineers addressed the group. Mr. Joseph informed the Board that the Nevada Chapter of the Society has been heavily involved in the production of the State's infrastructure report card and that the tool is used to advocate for infrastructure needs at both the State and Federal levels. He stated that he would like to work with the Association to gather additional knowledge on the needs of the counties for inclusion in updates to the document for future advocating efforts.
2. **Approval of Agenda.** The agenda was approved on a motion by Commissioner Lucey with second by Commissioner Allan.
3. **NACO President's Report.** President Waits again thanked the members of the Board for their efforts and echoed her sentiments expressed during the Annual Membership Meeting. She concluded her report by acknowledging the birthdays of Commissioners Allan and Dahl.
4. **NACO Executive Director's Report.** Dagny noted that she had nothing to add to the report given during the Annual Business Meeting.
5. **Approval of Minutes of the August 30, 2019 NACO Board of Directors Meeting.** The minutes were approved on a motion by Commissioner Price with second by Commissioner Lister.
6. **Discussion and Updates Regarding Opioid Lawsuits in Nevada.** Dagny informed the Board that just over half of the counties have engaged council and have filed or are preparing to file opioid lawsuits. She noted that Attorney General Ford rejected the Purdue settlement and the State has filed litigation against individual members of the Purdue family and others as have several counties. She noted that some states have filed injunctions in federal court to exclude local government suits. She informed the Board that she spoke to the attorneys that are representing most of the counties who have engaged in this issue and that it is not believed that those injunctions will affect cases filed by Nevada's counties. She noted that the federal judge

that is handling the cases that have been consolidated in federal court in Ohio has established the creation of a negotiation class that makes the federal suit essentially a class action. This means that all counties and cities in the U.S. are now parties to the federal opioid lawsuit, regardless of their desire to be. Counties do have the ability to opt out of the Negotiation Class of the federal opioid lawsuit but must take official action to do so by November 22nd. Counties should know that if they do not opt out then it will likely mean that any case, they file in State court will be void. She also noted that Eglet Adams is advising their clients to opt out, and that the settlement amounts from the federal Negotiation Class are not projected to be very much. Counties can learn more about this, as well as how to opt out by going to:

<https://www.opioidsnegotiationclass.info/Home/FAQ#faq1>

She encouraged Board members to go to the website to learn more. President Elect French inquired as to if there was an update on the injunctions that would negate county suits and Dagny stated that it is in process and awaiting a decision by the judge. Commissioner Lister inquired as to if the Attorney General is pursuing action on behalf of the State and Dagny clarified that he is and is using the same legal counsel that most of the counties are using.

7. **Update Regarding Natural Resources and Public Lands and Issues Affecting Counties.** Dagny informed the Board that the subcommittee did not meet in September and that the October agenda will have additional information and important updates. President Elect French and Commissioner Lister noted that there will be further updates on compensatory mitigation related to Sage-grouse issues, based on recent meetings.
8. **NACO Committee of the Emeritus Update.** Vinson informed the Board that the approved workshops for 2019/2020 are included in the agenda packet and that work has begun on the updates to the New Commissioner Handbook and the training to be held at the 2020 NACO Annual Conference.
9. **National Association of Counties and Western Interstate Region Board Member Updates.** Commissioner Dahl informed the Board that the Western Interstate Region Board has a meeting coming up at the end of October and additional updates will be given following that meeting.
10. **NACO Board Member Updates.** Updates were given by members of the Board on activities within their counties.
11. **Public Comment.** None was given.

The meeting was adjourned at 9:19 a.m.