

# NEVADA ASSOCIATION OF COUNTIES (NACO)

Board of Directors' Meeting

March 25, 2016, 9:30 a.m.

NACO Office

304 S. Minnesota Street

Carson City, NV 89703

## ADOPTED MINUTES

**Attendance:** (NACO Staff; Jeff Fontaine, Dagny Stapleton, Amanda Evans, Tori Sundheim) President Carson, President Elect Phillips, Vice President Weekly, Immediate Past President Wichman, Elko County Commissioner Dahl, Douglas County Commissioner Johnson, Humboldt County Commissioner French, Washoe County Commissioner Herman, Esmeralda County Commissioner Bates, Storey County Commissioner McGuffey, Eureka County Commissioner Goicoechea, Pershing County Commissioner Irwin, Lander County Commissioner Waits, Clark County Commissioner Kirkpatrick, Washoe County Commissioner Lucey, Churchill County Commissioner Olsen, Carson City Mayor Crowell, Nancy Parent-Nevada Association of County Clerks and Election Officials and Bob Roshak-Nevada Sheriffs and Chiefs' Association.

**Other Attendee's:** Lyon County Commissioner Alt, Nye County Commissioner Borasky, Nye County Commissioner Schinhofen, Cheva Gabor-USFS, Lee Bonner-NDOT, Sondra Rosenberg-NDOT, Mark Costa-NDOT, Mary Walker, Terry Faff and Lee Gibson-RTC Washoe.

1. **Public Comment.** None was given.
2. **Approval of Agenda.** The agenda was approved on a motion by Commissioner Goicoechea with second by Mayor Crowell.
3. **NACO President's Report.** President Carson spoke to her pleasure at the large number of Nevada Commissioners in attendance at the National Association of Counties Legislative Conference in February and the success of the meetings held with Nevada's Federal Delegation. She completed her remarks with the presentation of the 'NACO Travel Debacle Award' to Commissioner Johnson for his years of experience with the trials and tribulations of traveling cross country in winter for the annual event.
4. **NACO Executive Director's Report.** Jeff reminded the Board of the upcoming National Association of Counties Western Interstate Region (WIR) Conference in May and their Annual Conference in July. He also noted that Lindsey Harmon of Connect Nevada would be conducting a tour of the rural counties April 11-13 to assess broadband challenges and that if any Board members or county staff would like to meet with her to let him know. He concluded his remarks with the work being done on the new NACO website and that the current schedule is to have something to show the Board at the April meeting.
5. **Approval of Minutes of the January 22, 2016 NACO Board of Directors Meeting.** President Carson noted the omission of Commissioner Weekly's last name in item three and the minutes were approved with this correction on a motion by Commissioner Bates with second by Commissioner Irwin.
6. **Discussion and Possible Action for NACO to Recognize April 2016 as National County Government Month.** Jeff reminded the Board that every April is recognized as National County Government Month by NACo and that several counties have already adopted resolutions recognizing the celebration. He passed around additional information and sample proclamations and press releases as well as directed the Board to NACo's website for additional information. The Board approved formal recognition of the month on a motion by Commissioner Wichman with a second by Commissioner Johnson.
7. **Nomination of County Social Services Administrators for Appointment by the Governor to the Board of the Fund for Hospital Care to Indigent Persons (NRS 428.195).** Jeff informed the Board that the position is vacant due to Clark County's Tim Burch having accepted another position within the County. He reminded the Board that they are to nominate two persons for the Governor's consideration and those nominations must be a Director of a County Social Services Department. The Association of County Social Services Directors met in the NACO conference room on Wednesday March 23<sup>rd</sup> and suggested the nomination of Edrie LaVoie of Lyon County and Michael Pawlak who is

the new director for Clark County. Both were approved for nomination on a motion from Commissioner Waits with second by Commissioner Bates.

## **8 Update on the Nevada Supreme Court's Committee to Study Evidence-Based Pretrial Release.**

Jeff introduced Associate Chief Justice James Hardesty to present the item to the Board. Justice Hardesty thanked the Board for the invitation to update the Board on the status of the Committee and noted that the issue will directly impact counties and noted that following his presentation he would touch briefly on guardianship issues that will also have a direct effect on counties. The Justice noted that the Commission was created surrounding the issue of the use of bail for making pretrial release decisions and that the Association of Chief Justices has taken a specific interest in the issue as bail specifically favors the rich, harms the indigent and the poor and does not account for risk factors to the general public. He noted that the net effect of bail decisions are unconstitutional and unproductive and have consequences that include increased costs to counties for jails as well as the creation of societal problems that can increase county costs for social services. He noted that work has been completed for the past five years and the Committee is using the Kentucky model which outlines 7 risk factors that provide a judge more information than they would typically have when making release decisions. He noted that Judges in NV have almost no information in the first 24-48 hours unless they have seen the defendant before. Therefore, they default to a bail system, but Nevada's bail system is different in every judicial district. The Justice used a test population provided by Jeff Wells in Clark County, where as of November 4, 2014 of the 3400 defendants in the county, a little over a 1/3 of the defendants were there strictly on bail hold and they cannot make, could not make the financial obligation for release. So the key 8-11 questions based on risk factors would be evaluated by either the jail staff or court services officers. They would conduct an interview with the Defendant and complete independent investigations of employment status, prior criminal history, arrests, failures to appear misdemeanors and felonies, and the judge would receive a report within 24 hours. Throughout the country, many of those Defendants' could be released under their own recognizance or under some other supervision. Other benefits to the use of pretrial release tools include the fact that an individual whose release decision is made within 24 hours is less likely to re-offend at all, because the more time they spend in the jail the more they associate with people who encourage them to participate in criminal activity. For example in Washington D.C. the institution of their pretrial release assessment tool has allowed them to reduce the incarceration of pretrial defendants by 50%. Justice Hardesty said the effort of the committee is to determine the risk assessment tool and the questions that should be in them, and then to validate that tool by testing it against cases from 2014 and what would have been the release decisions had the tool already been implemented. With the assistance of free services from a National Institute to help with studies and statistics and free services from Department of Justice, the Commission at its February meeting unanimously approved Nevada's pretrial release tool. It is currently in a validation process where 1500 cases across Nevada are being tested to validate the tool. The results will be presented to the commission May 16. If as expected, it is validated, it will begin a program with limited jurisdiction judges. Justice Hardesty acknowledged that the counties are in the middle of the budget process and strongly urged the Board to consider what kind of court services they support in their budgets and allow for costs associated with the implementation of the tool toward the end of the summer. He noted that the Supreme Court, by rule, will direct all the judges to use the tool in making pretrial release decisions going forward. He acknowledged that in rural counties implementation will be a challenge. The hope is to create a statewide integrated system so those counties that can't afford to set something new up can look to other counties to assist them. The other important advantage is that defendants have a way of going from county to county so there would be a mechanism to be able to track these defendants as they move so a judge in one county making a pretrial release decision on limited information when there is a huge history in another county. Justice Hardesty noted that he was grateful to have Dagny on the Commission, that she has provided great input as the NACO liaison to the Commission. He also noted that the Commission is made up of District Attorneys, Public Defenders, 18 jurisdictions and District Court judges for a total committee of 25. He noted that the implementation will be a slow process and that there would not be an emptying of jails but that he foresees a reduction in jail occupancy, while at the same time requiring additional resources for supervision. Commissioner Johnson noted concern with the budget line for court support and how his Commission would figure out what that would be and if there even is a cost savings in this? Justice Hardesty suggested looking at what is spent in Douglas County to operate the jail and asking the Sherriff or a supervisor: How many defendants are in the jail for which bail has been set but cannot make it and are not there for any other reason or charges? Noting that he is anticipating based on national standards; it will be at least 30%. Noting that even if counties don't cut existing personnel, they can avoid the future cost by having people released. Mayor Crowell echoed Commissioner Johnson's concern and inquired as to statistics or data to help work through what that might mean for the alternative sentencing personnel within their budgets. Justice Hardesty noted that

there are national statistics and that Dagny would be able to provide that information after a mid-September meeting with the Director of the Pretrial Release Institute. He specifically noted however, that National statistics demonstrate that increase in pretrial supervision is not as great as imagined, noting that with many defendants released using the tool there is no supervision. He also noted that another point in favor of using the tool that can't be accurately calculated is the costs to county social services programs resulting from people losing their jobs for being in jail for more than 3 days, the cost to family services from having kids who need to be temporarily fostered, and housing resulting from loss of income. As well as increased improvement to public safety for violent offenders who would have made bail but will not pass the test of the risk assessment tool. Commissioner McGuffey noted the costs associated with monitoring devices and that he would like to see that area addressed. The Justice noted that by use of the tool there would more than likely be decreased supervision for those released. Commissioner Lucey noted that he has been active with the issue and that during a recent trip to New York he was informed that the courts in Brooklyn have provided information that the tool has proven to be very effective not only for reduction in jail cost but the social services have been more effective through case migration and that savings have been monumental and the social services side alone had been amazing. Noting that Washoe County is very much in support of this and it has proven to be cost effective. The Justice directed the Board to the Supreme Courts website where they could gain access to a 1,000 pages of reports, studies, documents that reflect presentations the commission has received from administrators from DOJ, NCI, Arizona, Kentucky, etc. Justice Hardesty noted that on May 16<sup>th</sup> the Committee will be presented with the results of the 1500 test cases and that expect to have the tool validated at that time and will begin to prepare for implementation. Commissioner Wichman also noted the cost savings to counties when they do not receive Medicare/Medicaid funds when a person is incarcerated. The Justice concluded his remarks by informing the Board of the commission he has established to study and reform issues within the public guardianship program. Noting that what the commission has learned is troubling and that of the files they have looked at there are several with no information other than the order for guardianship, no asset lists or accounting. That the commission has come to the conclusion that the courts in the state are not adequately staffed to supervise the numerous cases involving guardianship, he stated that the costs will be huge to counties if reforms are not completed correctly. Noting that the public guardian system is all over the map in and the public guardian services are overwhelmed. There are only 22 statewide certified guardians and numerous examples of abuses of the system. He noted that the commission is working with the Attorney General's office, courts and District Attorneys and that county's should begin to plan for the costs associated with the implementation of stricter standards, reporting requirements and oversight.

- 9 Update and Possible Action regarding a Proposal to Consolidate the University of Nevada, Reno College of Agriculture, Biotechnology and Natural Resources (CABNR), Cooperative Extension, and the Nevada Agriculture Experiment Station (NAES).** Dagny updated the Board on the Working Group's meeting with the Chancellor, Provost and both University Deans where she noted there was good discussion based on the list of assurances that the Board had requested. She noted that the group stressed the funding issues and noted that it is a central issue. She noted that the Provost agreed to respond to the letter listing the assurances in writing and that the letter was received a couple weeks ago and was a part of the Board's packet. She addressed a new issue of individual cooperative agreements with the counties and noted that both Clark and Esmeralda Counties had discovered decades old agreements dating back to the 1940's and the agreements articulated that not only did the counties have oversight on programming but that they approved the budgets. She looked at the statute and noted that it does require budget approval. She noted that the Clark County Commission directed staff to develop a draft cooperating agreement and agreed to share their draft and research. Dagny discussed the timeline for the proposed timeline for implementation of the consolidation and that the proposal was currently at the Faculty Senate and that they will vote on April 21<sup>st</sup>. She noted that the Provost requested a response to his letter by April 8<sup>th</sup> and would include that response in the document in the material provided to the Senate. Once the Senate votes on the proposal it will go directly to the Board of Regents. Commissioner Wichman inquired as to budget approval being required per the MOU's and it was clarified that budget approval is required by the NRS and that a county may have a cooperative agreement requiring oversight of programming. Commissioner Johnson inquired if the University concurred on the requirement of budget approval and Dagny noted that it had not been discussed with them at that time. Commissioner Kirkpatrick noted that is important that all counties start working on an MOU and that the programs can't get federal funding without the participation of the counties. She noted that there is a clear timeframe for when programs started being cut and other changes started occurring.. Commissioner Goicoechea noted that Eureka County was not originally as opposed to the consolidation plan because they approved the budget and assumed the other counties were as well, noting it is clear they are doing different things in different counties. Commissioner French noted that Humboldt County approved the allocation

of funds but not the budget and they can't find an MOU going back. Commissioner Waits commented on the letter from the Provost and his comment on responses being based on emotion and President Carson noted that she had previously commented on the University minimizing the importance of the issue to the counties. Commissioner French noted that he believes that the inference is based on data the individual counties received from Cooperative Extension employees and was based on emotion from them. Jeff noted that staff was somewhat put off by that component of the letter as well and requested direction as to how to respond to the Provost. Commissioner Wichman made a motion to have staff work with the working group on the response and Commissioner French noted that the MOU's and budget oversight were not included in previous conversations and that including an interest in enforcing the statute is important to be included in the response. Commissioner Johnson noted that the new information on oversight and budget changed the game and seconded the motion which passed unanimously.

- 10 Update on the Feasibility of NACO Serving as a Wildfire Grant Clearinghouse for Addressing the State Wildland Fire Issues in Prevention, Suppression and Post Mitigation.** Dagny informed the Board that a meeting was held with stakeholders to discuss the options for another agency stepping in to fill the gaps left by the dissolution of the Fire Safe Council and that the consensus was that any new organization formed must be more than simply a clearinghouse for grant funds. She noted that the Nevada Land Trust is also looking into the issue. She informed the Board that she and Jeff had held a meeting with them and agreed that there must be a sustainable funding source for any organization to take on the task, which doesn't currently exist and that there must be an organizational plan. She informed the Board that there is a new State Forrester and there would be a meeting with the new Forrester to determine if he will be taking a leadership role on the issue. She also noted that updating the county wildfire protection plans needed to be updated since that hadn't occurred for roughly a decade ago and that is a piece of the puzzle, and funding may be available from the Forrester's office for those updates. Commissioner Waits inquired as to if NACO became involved in the issue what would be the effect on staff and Jeff noted that the item is much larger than previously thought and that there must be more research and meetings to determine what the organization would look like before going forward.
- 11 Update and Possible Action on AB191 Enacted in the 2015 Legislative Session which Authorizes a County to Place on the Ballot at the General Election on November 8, 2016 a Question which Asks the Voters in the County whether to Authorize the Board of County Commissioners to Impose, for the Period beginning on January 1, 2017, Annual Increases to Taxes on Certain Motor Vehicle Fuels.** Jeff reminded the Board as to their previous direction for staff to develop language the counties could use for their individual ballot questions and noted that Clark County had been helpful in the process, as had the county clerks and the Secretary of State's office. Jeff said that he is still waiting to hear back from the LCB. He indicated that a letter had been sent to the county managers and clerks and that he is waiting on comments back. He again referred to the fact the question is a State question required to be placed on the County ballots and he is still waiting on legal opinions on language. He noted that the counties should appoint their pro and con arguments committee's and that he is willing to help with language on those items. He reminded the Board that it is imperative to have a list of priorities and projects on which the funds would be used and noted that NDOT has a list of county specific projects on which the state portion of the funds could be used as well. He noted that several people have contacted him in support and who have indicated they are willing to campaign on behalf of passage of the questions statewide. Jeff reiterated that the most important work to be completed is the pro and con arguments and the final question language. President Carson inquired as to the lack of ability to use the funds to hire roads personnel, noting that White Pine County has only one person in the department. Jeff stated that there are two things that control the expenditure of highway funds one being the Constitution and the other being NRS and noted that at the last legislative session there was a bill enacted that allowed expanded use of the funds and there was discussion of the use of funds for direct costs. Jeff said he will review the bill for a more complete answer. Commissioner French inquired as to the development of standardized language for use in all counties and Jeff said that the way the bill was written that each county must have their own ballot question and therefore their own pro and con committees so standardized language cannot be used, unless the LCB states otherwise when they complete the requested review, but sample arguments will be provided. Commissioner Johnson noted some confusion in language and how the question could be written to succeed in a very anti-tax county and Jeff noted that is where the arguments are most important and that setting up the committees now is important because the actual question is not due until July. Terry Faff of Douglas County (at Commissioner Johnson's request) inquired as to how they would form a committee when they are unsure of the question and therefore are not able to form an opinion. Jeff stated that per the NRS the final language for the question isn't due to the clerk until the third week of July and that NACO has attempted to provide

sample language and referred to the bill itself that explains what the premise is regardless of the questions language. He referred to the formula included in the Bill for additional information. Carson City Manager Nick Marano noted that they have drafted language in a cost not to exceed manner vs. a percentage but it is unclear if that would be allowed per the NRS. It was clarified that the index is on only the tax amount not on the cost per gallon. Commissioner Bates asked for clarification on the cap and President Carson stated that the cap is 9 cents but that not all counties have the full 9 cents leveraged, Jeff clarified that the index would be based on the full 9 cents whether or not the county fully leverages their taxes at the cap.

**12 Briefing on the Fixing America's Surface Transportation (FAST) Act (P.L. 114-94), including the Designation of Interstate 11, and Possible Action for NACO to Participate in a Study of the Northern Alignment of I-11 from Las Vegas to Interstate 80.** Lee Gibson of RTC Washoe gave a presentation on the Act and how it affects counties and noted that fuel tax indexing is a large part of the discussion. Noting that those who have been in the industry a long time have had to live through the experience of not having the dollars to build needed infrastructure and believe the pathway is to build infrastructure and the other is indexing of fuel taxes. Returning to the FAST Act he noted that counties are very closely related to the Federal Government because of the receipt of federal funds. He noted that the Act signed Dec 4, 2015 will bring a billion dollars to the nation's infrastructure but it did not bring new monies- only transfers of new sources from the federal government. These are not permanent long term funding that can be relied on for interstate commerce and to build the economy. He specifically noted that it will be important for to capitalize on the funds provided to continue to build and repair infrastructure. The freight program will bring a new formula program to NDOT in concert with metro planning to help find projects to leverage and build with federal funds for industrial uses and planning centers. He noted that focus from a national perspective is on key highway facts and that \$226 billion will go into the highway programs. He noted that the national highway freight program is a fast growing network and that Nevada is a key access point for Asian trade and that design and operation strategy will help improved mobility and accessibility. To help move those projects forward fast lane grants will be 900 million a year. It was noted that another great achievement of the Act is I-11 and noted that NDOT has done a great job to move the concept from Phoenix to Las Vegas. That way it can begin to link to northern neighbors and build a better interstate. He also noted that in Washoe and Storey Counties there will be opportunities to look at connecting the tri-county center to support manufacturing and distribution growth. Mr. Gibson discussed the fact that CMAQ is still there but there is an exception, however the rules will stay the same. He discussed accelerated project delivery by trying to process documents faster but noted that they will not revisit issues once they get resolved. There will be time limits on the period of time for environmental reviews which will help administer Surface Transportation Block Grants which will increase over time and projects include safe routes to school, working on arterial system, work force development and training. Lee discussed some specific areas where RTC Washoe will benefit from the Act including a competitive bus facility program to pursue federal funds, an enhanced mobility program for seniors the 1053 programs will allow and many opportunities for smaller social service agencies to get engaged with services to seniors, as well as allowing localities to become direct recipients. He noted leverage points for I-11 include promoting connectivity. He concluded his presentation with the fact that NACO is a great vehicle and opportunity to bring our state together to look at engineering, environmental, and social to discuss how it can be built and identified four areas of risk: 1. Just because Congress promises does not mean they will deliver money. NDOT must seize the opportunity; 2. Appropriations risk. They have to appropriate it to us to spend it; 3. Regulatory risk: rulemakings in the transportation safety arena which will impact the RTCs and with the reminder that 38% of their budget is from the federal government and 90% of their compliance regulations come from there as well. Commissioner McGuffey inquired if there was a light rail system being discussed on the I-80 corridor and it was noted that it may be included in long range planning. Commissioner Bates inquired if there is a website where the northern route of I-11 could be seen and Sandra Rosenberg from NDOT said that at [www.I11study.com](http://www.I11study.com) has the initial information. Commissioner French noted that it was his understanding that 5310 senior services grants were being phased out and asked if they now being reauthorized and funded, to which Mr. Gibson said that it is his understating that they will be made available. Commissioner McGuffey inquired as to if the counties needed to submit requests for I-11 to be routed through their counties and it was noted that there is still a lot of planning with regards for the route and that funding allocation is a large factor and that if counties can support a portion of the funding that will be a consideration. President Carson asked if AB191 is approved in counties if some of those funds could be used for the purposes of I-11 and Ms. Rosenberg answered yes that it will provide additional resources for important projects, but noted that if some counties pass the initiative and others don't it will be challenging to enhance those corridors. Commissioner Lucey noted that the Act created a national advisory committee on strategy that Washoe County is actively trying to put a

representative on to focus on Northern Nevada as a travel destination. Jeff suggested he work with Lee and the RTC to initiate the process and some of the planning at the county level and that it could be added to a future meeting agenda. Mr. Gibson concluded the item noting that they want to partner with NACO and begin getting the networking infrastructure and to address issues to define the natural, physical, design issues of I-11.

- 13 Discussion and Possible Approval for NACO to Amend its Marketing Agreement with the National Association of Counties (NACo) for its Prescription Discount Card Program to Add Dental and Health Discount Programs Administered by CVS/Caremark.** This item was removed for discussion at a later date.
- 14 Discussion and Possible Approval of a Letter to Governor Sandoval Requesting that He Not Include Any New Unfunded Mandates or Cost Shifts to Counties, and to the Extent Possible, Eliminate or Reduce Current Cost Assessments to Counties in His Executive Budget.** Jeff reminded the Board that the Governor and state agencies are in the process of developing the Biennium budget request for the 2017 Legislature and that it is a good idea to send a letter requesting no additional mandates, cost shifts, and to reconsider past budget issues and new considerations. Commissioner Kirkpatrick suggested the addition of an item requesting a 'seat at the table' if they are looking to change how services are rendered. The letter was approved with the addition and slight verbiage changes on a motion by Mayor Crowell with a second by Commissioner Irwin.
- 15 Update on Interim Legislative Studies.** Jeff informed the Board there is a Water Committee Meeting on April 22<sup>nd</sup>, the Public Lands Committee will meet in Winnemucca on April 15th with NACO on the agenda and the Sunset Sub-committee of the Legislative Commission is due to have the Board for the Fund for Hospital Care to Indigent Persons on their agenda in April and that NACO has also been following the Committee on Healthcare which met the previous day where Commissioner Wichman presented on the situation with the hospital in Tonopah. Jeff then spoke about the Legislative Commission directing Legislative Counsel Bureau staff to work with NACO and others on a property tax study related to SJR13, based on the fact there were enough questions contained within the Resolution (SJR13) that the study was warranted. Jeff noted that the county Treasurers and Assessors have been very helpful with information gathering and that the property tax cap is an important factor as outlined by the property tax estimates, which include several counties that will have their property taxes capped at less than 0.2%. Clark County CFO Yolanda King gave an educational presentation on property tax caps. Ms. King explained that the cap is a formula stating that residential property taxes can't be more than 3% of the prior year's taxes with no basis on value increase and that commercial property taxes can't exceed 8% or the secondary cap based on a 10 year growth of assessed valuation which is 2 times the CPI. The greater of the two is what is compared to the 8%. Residential taxes can't exceed commercial taxes so residential taxation then drops to the commercial rate, in many counties resulting in caps far less than the 3% allotted by current NRS. Commissioner Wichman asked if there is a way to reset when a property sells and Ms. King said there is not, Commissioner Goicoechea noted that SJR13 contains a provision for resetting of taxable value at that time and Ms. King agreed noting the Resolution would need to pass a statewide vote and there are questions as to what would happen with existing abatements. Commissioner Kirkpatrick noted that it will be 6 years before SJR13 goes into effect, if it does at all and the counties will continue at a property tax rolling deficit for at least 5 years. Commissioner Goicoechea asked what the fix is and Commissioner Kirkpatrick noted that a local government group had been started in Clark County to work with business stakeholders and that discussion includes the possibility of taking the indigent and education tax percentages out of the cap but there is no specific fix at this time. Jeff passed out a preliminary analysis of the property tax caps by county.
- 16 Appointment of a NACO Legislative Committee Chairman and Discussion of Possible NACO Bill Draft Requests for the 2017 Legislative Session.** President Carson informed the Board that she spoke to Commissioner Lucey who accepted the position of Chairman of the Committee but hadn't selected a Vice Chair and Mr. Lucey asked Commissioner Kirkpatrick to Vice Chair who accepted the position. Jeff noted that BDR's are due in either August or September and that any Board member that has interest in a specific issue to contact staff. He also noted that issues that will be returning are Law Enforcement body cameras, that there is interest in voting machine replacement and that infrastructure funding is a big issue as well.
- 17 Presentation on the Nevada Electric Highway.** Angela Dykema, Director of the Governor's Office of Energy and Marie Steele of NV Energy presented the Board with an update on their joint venture. Ms. Steele gave an overview of electric vehicles including the fact that there are approximately 2,000 registered electric vehicles in the state comprising 0.6% of the states registered vehicles. It was noted

that there are free public charging stations throughout the state in partnership with private business and public locations and that there are Federal incentives for the program. The installations of stations on the I-95 corridor include stations in Fallon, Hawthorne, Tonopah and Beatty was completed through shared service agreements, abatements and grant funding. They are looking into further locations to finalize the I-95 corridor and expand to Highway 93, 50 and I-80. Commissioner French inquired as to if the Governor's office has thought about recovery of maintenance as electric vehicles are not paying fuel taxes and how if this program would go the way of net metering. Ms. Steele noted that the PUC has opened an investigatory docket to compare the programs and they are awaiting procedural information. Ms. Dykema stated that maintenance is an issue and there have been ideas tossed about but nothing has been outlined as of yet. Commissioner Dahl inquired how the station locations were chosen and it was noted that it was a competitive open bid process and the business pay for the energy usage through the charging stations for a period of five years.

**18 Discussion and Possible Action Regarding Public Lands and Natural Resources Issues Including:**

- a. **Report from the NACO Public Lands and Natural Resources Committee.** Commissioner French spoke to the meeting that took place the day before and spoke to their discussion on Planning 2.0 and the proposal and how it applies to counties. Specifically the loss of planning protocol which would/could reset precedent from prior litigation and how it was applied in court. He also spoke to the discussion on the use of best science being widely open to interpretation and left question as to the determination of who determines what is and who provides the 'best science' and the 'resetting' of planning protocol in the future. Tori expanded the discussion with regards to consistency with local government involvement which will shift the burden for local government to bring issues to the agency and the lack of the weight of comments made at the beginning of the process for those with 'skin in the game' because cooperating agency's comments would be compiled with all other parties and comments would be given equal weight. Commissioner French concluded his comments with the group's discussion on procedural items that have yet to be resolved within the group to be brought to the Board at a later date. Tori spoke to issues within standing practices allowing local government that has regulatory and statutory requirements for land management, public safety etc. also being important.
- b. **Approval of a NACO Position Paper on the Basin and Range National Monument Designation.** Jeff reviewed the designation and the initial paper that has been rewritten due to timing and direction from the Board. He noted that the new White Paper is less editorial and more educational. Commissioner Goicoechea stated that the document is excellent. Dagny stated there is one piece of science that still needed to be affirmed and the paper was approved unanimously on a motion by Commissioner Wichman with second by Commissioner French as long as the science is found sound.
- c. **Comments on the Bureau of Land Management's Proposed 2.0 Planning Regulations.**  
See discussion under 18a
- d. **Cooperating Agency Status for the BLM's Proposed Sagebrush Focal Area.** Commissioner French noted that it is in the best interest for counties to enter into the agreements and to have a standing in the discussion and or orders issued. He also noted staffing issues and that the ability to appoint an outside person to be active and represent their interests, specifically the addition of Tori to the NACO staff allowed for Nye County and Lander County to appoint the Association as their representative and that NACO had received the MOU requested. Commissioner Goicoechea stated that Eureka County sends a letter yearly requesting the status to all appropriate agencies. The Board voted unanimously for staff to sign the MOU on a motion by Commissioner Goicoechea with concurrent seconds by Commissioner French and Mayor Crowell.
- e. **Nevada Partners for Conservation and Development.** This item was not heard.

**19 Discussion and Possible Action regarding the Bureau of Land Management's and U.S. Forest Service's Greater Sage-Grouse Approved Resource Management Plans (ARMP'S) including the The Complaint for Declaratory and Injunctive Relief Filed by Western Exploration LLC, Elko County, Eureka County, Quantum Minerals, White Pine County, Lander County, Humboldt County Ninety-Six Ranch, LLC, Paragon Precious Metals, LLC, Churchill County, Washoe County and the State of Nevada.** This item was heard in closed session.

**20 Discussion and Possible Action regarding the Possible Restructuring of NACO's 2017 Membership Dues.** Jeff informed the Board that he is not expecting action but the item is more informational for the Board. He noted that there is an anticipated shortfall of revenue in future years due to the loss of a substantial sponsor and increased costs. He discussed the fact that the

Associations ability to focus on public lands issues has increased and that there has been some national impact due to the Associations work. He noted that one of the best ways to recover some of the shortfalls is to possibly look at an additional assessment based on PILT payments in future years. He also provided the structure for 2016 dues for county planning purposes. Commissioner French added that there have been two specific changes since he joined the Board, the intensity of work being done on public lands and the addition of staff that has provided incredible support to the counties on those issues. Commissioner Wichman echoed Commissioner French's sentiments and noted that Nye County only pays dues for NACO and NACo because of the benefits provided.

- 21 Discussion and Possible Action regarding NACO Employee Health Insurance Renewal.** Jeff noted that NACO is part of a small group insurance pool that came to be after the implementation of the ACA, including age banding which results in higher premiums. He informed the Board that he spoke to LP Insurance, the Associations agent and that when the current policy renews in July rates are expected to increase 33%. He noted that alternatives are being looked into for comparative coverage but that those options won't be available until after rates are filed with the Insurance Commission in April. He had no recommendations and again noted that the item was for information purposes only and will be brought back to the Board when more information and/or alternatives are available.
- 22 Update from the County Social Services Administrators.** Jeff informed the Board that the Association met in the NACO conference room that Wednesday and has changed their official name to the Nevada Association of County Human Services Administrators. He noted that they discussed managed care for Medicaid in the rural counties and are concerned about the issue. They also discussed a letter that was sent to the County Commissions regarding Assembly Bill 307 which has to do with children with intellectual disabilities and the reporting requirements, the specific concern from the Directors is that the letter included the names of the children receiving the services, and there will be a meeting with the Director of DHHS about the issue. They also discussed a budget concept where Medicaid can be used for additional services under the ACA and can include expansion to a targeted population for supported living services, the program must be statewide and although Clark County is looking into the program the rural counties don't feel it is an area where they are spending funds, however, if the state adopts the program it could require additional assessments to all counties.
- 23 NACO Committee of the Emeritus Update.** Commissioner Wichman noted that the last workshop on County Finances was very successful with well over 40 people in attendance and the presentations and video will be included in the NACO News. Dagny noted the next workshop will be on June 13<sup>th</sup> and the topic will be social media. She also informed the Board that the Committee is working on updating the training and handbook for new commissioners and there was discussion on how to use Home Rule. President Carson said that White Pine County is putting an ordinance together to mandate OHV insurance.
- 24 National Association of Counties and Western Interstate Region Board Member Updates.** Commissioner French informed the Board that the WIR meeting is in May and he will have additional information after that conference. Commissioner Irwin noted the meeting of the Board at the Legislative Conference went well and that the next meeting of the Board of Directors will be in July at the Annual Conference.
- 25 NACO Board Member Updates.** Updates were given by members of the Board on what is occurring in their counties.
- 26 Public Comment.** Commissioner Waits shared that the NACo position paper on the \$500 deductible for catastrophic loss that FEMA is entertaining is excellent and President Carson informed the Board that White Pine County will be getting a Shop-Co and a Loves Truck Stop.