

NEVADA ASSOCIATION OF COUNTIES (NACO)

Board of Director's Meeting
June 26, 2015 – 9:30 a.m.
NACO Office
304 S. Minnesota Street
Carson City, NV 89703

Some members may participate in the meeting via teleconference or videoconference.

NACO Board of Directors

AGENDA

Items on the agenda may be taken out of order. The NACO Board may combine two or more agenda items for consideration. The NACO Board may remove an item from the agenda or delay discussion relating to an item on the agenda at any time.

Call to Order, Roll Call, Pledge of Allegiance

1. Public Comment.
2. Approval of Agenda. **For Possible Action.**
3. Executive Director's Report.
4. Approval of Minutes of the May 22, 2015 Meeting of the NACO Board of Directors. **For Possible Action.**
5. Acceptance of NACO's May 2015 Financial Statement and Investment Reports. **For Possible Action.**
6. Approval of Board Meeting Dates for the Remainder of 2015. **For Possible Action.**
7. Update on the National Association of Counties (NACo) Annual Conference July 10-13, including the Election of NACo Officers and Board Members. **For Possible Action.**
8. Discussion and Possible Approval of a NACO Staff Performance Bonus for the 2015 Legislative Session. **For Possible Action.**
9. Approval of a Letter of Appreciation to the Chairman of the Senate Committee on Government Affairs and Chairman of the Assembly Committee on Government Affairs for their Efforts on Behalf of Nevada's Counties During the 2015 legislative Session. **For Possible Action.**
10. Discussion and Possible Action regarding Bills in the 2015 Legislative Session of Interest to Nevada's Counties and Other Actions regarding NACO's Participation in the Legislative Session. **For Possible Action.**
11. Overview of how Estimates and Projections are Produced by the Nevada State Demographer.
12. Briefing by the Interim State Director of the Bureau of Land Management, Jon Ruhs, and Possible Action regarding his Assignment in Nevada. **For Possible Action.**

13. Update on the National Forest Counties and Schools Coalition.
14. Discussion and Possible Action regarding NACO's Appeal to the United States Court of Appeals for the Ninth Circuit from the Judgment and Order of United States District Court for the District of Nevada Granting the United States Department of Interior's (Defendants') Motion to Dismiss the Complaint Filed by NACO and Other Plaintiffs on December 30, 2013 Seeking to Compel the BLM to Comply with the Provisions of the Wild Free-Roaming Horse and Burro Act. **For Possible Action.**
15. Update and Possible Action regarding U.S. Fish and Wildlife Service's Listing Determination of the Greater Sage-Grouse and Proposed Plans for Protection of Greater Sage-Grouse Habitat in Nevada, Including the Governor's 60 Day Consistency Review, and the Complaint Filed by NACO and Others on December 4, 2014 Against the USF&WS Seeking Declaratory and Injunctive Relief for Violations of the Endangered Species Act, the Administrative Procedure Act, and the United States Constitution for Entering into Private Settlement Agreements with Special Interest Litigants that Established Deadlines by which USF&WS Must Make Listing Determinations for Certain Candidate Species, including the Greater Sage-Grouse (GSG). **For Possible Action.**
16. NACO Board Member Updates.
17. Public Comment

Adjourn

Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify NACO in writing at 304 S. Minnesota Street, Carson City, NV 89703, or by calling (775) 883-7863 at least three working days prior to the meeting.

Members of the public can request copies of the supporting material for the meeting by contacting Amanda Evans at (775) 883-7863. Supporting material will be available at the NACO office.

This agenda was posted at the following locations:

NACO Office 304 S. Minnesota Street, Carson City, NV 89703

Washoe County Admin. Building 1001 E. Ninth Street, Reno, NV 89520

Clark County Admin. Building 500 S. Grand Central Parkway, Las Vegas, NV 89155

POOL/PACT 201 S. Roop Street, Carson City, NV 89701

The following pages are support
documentation for agenda
Item 4

NEVADA ASSOCIATION OF COUNTIES (NACO)

Board of Director's Meeting
May 22, 2015 – 9:30 a.m.
NACO Office
304 S. Minnesota Street
Carson City, NV 89703

UNAPPROVED MINUTES

Attendance: (Staff: Jeffrey Fontaine, Dagny Stapleton, Amanda Evans) President Wichman, President Elect Carson, Vice President Phillips, Lander County Commissioner Waits, Carson City Mayor Crowell, Nye County Commissioner Schinhofen, Lyon County Commissioner Hastings, Eureka County Commissioner Goicoechea, Washoe County Commissioner Herman, Douglas County Commissioner Johnson, Elko County Commissioner Dahl, Esmeralda County Commissioner Bates, Clark County Commissioner Collins, Storey County Commissioner McGuffey, Larry Burtness - County Fiscal Officers Association, Ken Retterath - County Social Services Association.

Other Attendees: Douglas County Commissioner Thaler, Lyon County Commissioner Alt, Jane Freeman - US Forest Service.

1. **Public Comment.** Jane Freeman of the US Forest Service let the Board know that the SRS payments are in the states and those payments should be dispersed soon. She also mentioned that the period for budget approval was extended. Regarding the proposed MOU between NACO, BLM, and USFS, they are still reviewing it and will work with Dagny on comments etc.

Attorney General Adam Laxalt spoke to the group on his policies, priorities, and goals for his office. He noted the the work his new leadership team is doing to transition the office and continue to protect the citizens of Nevada. Mr. Laxalt noted the identification of a lack of Senior Staff to be proactive on issues instead of reactive and that he has included four supervisors in his new budget to ensure this forward momentum is gained. He said that one of his priorities is to assist Nevada's military personnel with civil issues as the JAG corps is not able to assist in Nevada. He is therefore instituting a program called the Public Office of Military Assistance which will be AG led with a commission made up of every military base commander in the State. He has commitments from several pro-bono providers and other legal firms willing to do pro-bono work for military members. He is hoping to officially launch the program in midsummer. Lawrence VanDyke was introduced as the new Solicitor General and noted his responsibility to protect the state from laws handed down federally that are not done in the proper way. The Attorney General also noted his office will be bringing on a staff person specifically to interface with the counties and keep a pulse on items of concern and importance at the county level.

2. **Approval of Agenda. For Possible Action.** The agenda was approved on a motion by Commissioner Carson with a second by Commissioner Johnson.
3. **Approval of Minutes of the April 24, 2015 Meeting of the NACO Board of Directors.** The minutes were approved with the following correction:
Corrected spelling of Laura Granier's name throughout.

On a motion by Mayor Crowell with second by Commissioner Schinhofen.

4. **President's Report.** None was given.
5. **Executive Director's Report.** Jeff noted the distribution of the official announcement of the Annual Conference which is being hosted by Clark County and will be held September 28 – October 1 at the Aliante in Las Vegas. He also mentioned the National Conference in Charlotte NC and that all Commission Chairs should have received an email with the credential information for voting. Regarding the conference in Charlotte, he specifically noted that commission chairs must return the credentials by June 19th in order for County representatives to vote at the Conference. It was also discussed that the candidate for 2nd Vice President has dropped out and there is currently no candidate to fill the office. The current Western Region representative to the Executive Board, Tim Josi of Tillamook County Oregon, has expressed interest in another term and Leslie Robinson of Phillip County Montana and a WIR Past President, has expressed interest in the position. Jeff announced a meeting of the National Forest County and Schools Coalition in Sparks on June 16th. That group provides a lobby for the SRS program. Applications were sent to all County Managers for the Fund for Hospital Care to Indigent Persons to assist the counties for the Medicaid Match program. The deadline will be extended because there hasn't been a meeting of the Board scheduled. National Association of Counties Steering Committee Chair applications are available on-line and must be completed by June 16th for appointment at the National Convention. President Wichman noted that she had been asked to apply to Chair the Public Lands Steering Committee and she is planning on completing the application.
6. **Nominations to Governor Sandoval for Possible Appointment to the Nevada Commission on Nuclear Projects (NRS 459.0091). For Possible Action.** The Nevada Commission on Nuclear Projects is comprised of seven members, one of which is chosen out of a pool of three names provided by the NACO Board for a two-year term. The Commission advises on the disposal of radioactive waste. Interest was received from five Commissioners, including the incumbent Larry Brown of Clark County, Vice President Phillips, Douglas County Commissioner Barry Penzel, Eureka County Commissioner Michael Sharkozy and Nye County Commissioner Dan Schinhofen who spoke to the Board and requested consideration as a Commissioner from the proposed facility's host county. Commissioner Johnson spoke in support of the application from Commissioner Penzel. The Board elected to send the names of Commissioner Brown, Commissioner Schinhofen and Vice President Phillips to the Governor for consideration on a motion made by Commissioner Collins with a second by Commissioner Goicoechea.
7. **Nominations to Governor Sandoval for Possible Appointment to the Board for the Fund for Hospital Care to Indigent Persons (NRS 428.195). For Possible Action.** The Board for the Fund for Hospital Care to Indigent Persons is comprised of four Commissioners and one Director of Social Services agency at the county level. The Board oversees the Fund, which can be used as Medicaid Match dollars and assisting in long term care payments among other things. Although the Board submitted names for nomination in January to replace former Commissioner Lee Bonner, nothing has been returned from the Governor's office and the remaining four positions are set to expire at the end of June. Interest in appointment/reappointment was received from several Commissioners. The Board elected to submit the names of all the Commissioners (Weekly, Clark; Carson, White Pine; Giunchigliani, Clark; French, Humboldt; Lucy,

Washoe; Sharkozy, Eureka; and Scharmann, Churchill) who expressed interest in the position as well as resubmitting the names that were submitted in January (Commissioner's French and Boland, Esmeralda) as well as Tim Burch of Clark County, Edrie LaVoie of Lyon County, and Shannon Ernst of Churchill County to fill the Social Services seat. Commissioner Irwin, Pershing was noted as a possible alternate for the Governor's consideration. This decision was approved on a motion from Commissioner Collins with second by Vice President Phillips.

8. **Update on Interlocal Agreements with the Nevada Department of Health and Human Services to Assess Counties the Costs of Services Provided by the Department.** Ken Retterath of the Social Services Association spoke to the assessments that were pushed down to the counties two legislative sessions prior. The contracts have been sent and he cautioned the individual Board Chairs to not sign the contracts as there is ongoing discussion and negotiation during the current legislative session.
9. **Discussion and Possible Action regarding Bills in the 2015 Legislative Session of Interest to Nevada's Counties and Other Actions regarding NACO's Participation in the Legislative Session. For Possible Action.** Jeff noted that the home rule bill, SB29, passed out of the Assembly with only nine nay votes. This was accomplished with much help from Commissioner Collins on the Democratic side and help from the Las Vegas Chamber of Commerce lobbyists. An agreement to send interim reports to the Legislature on examples of the use of the bill assisted in its passage.

SB482, the county elected officials pay bill, passed the Senate and the Assembly Committee on Government Affairs and was then placed on the Chief Clerk's Desk on the Assembly floor. It was placed on the Desk due to concerns with Commissioners' salaries being set in statute. NACO is working with Assemblyman Ellison and other Republican Caucus members on an amendment that allows for Commissioner salaries to be set in statute but then also allows Commissions to vote to not accept the raises across the board in any given year due to budget concerns. The opt-out component for individual officers was included in the bill as well.

SB111 would require all law enforcement officers to wear body cameras. Jeff noted that there had been several meetings with the bill's sponsor, Minority Leader Ford, and that while NACO supports body cameras we can't support the unfunded mandate contained in the bill.

Jeff noted there is no support for the PSI (SB16) and Indigent Defense (AB10) bills but that he and Dagny are continuing to try to obtain support. An assessment to the counties for person's sent to Lake's Crossing as incompetent to stand trial was knocked out of the Governor's budget. Assessments to the counties for Child Protective Services was mistakenly entered in the budget in a higher amount and although the Governor's office acknowledged the mistake and wrote an amendment to return the amount to the correct number, LCB fiscal staff did not agree with the amendment and the joint money committee approved the budget without it. Work is being continued to rectify the issue legislatively but Jeff also noted the option of it being handled administratively was possible.

AB332 regarding taxes on the purchase of materials by local governments for use on public works projects was discussed. The bill would preclude a local government from

receiving the tax exempt status when they purchase most building materials on projects greater than \$200,000.00. While there are some concerns with the fiscal impact to counties NACO has taken a neutral position on the bill. Commissioner's Johnson and McGuffey noted for the record that Douglas and Storey Counties are opposed to the bill.

SB95 to allow for publishing tax rolls on line was passed out of the Senate unanimously but there is not support for the bill as written in the Assembly. The Nevada Press Association requested an amendment that would require printing a full page add in the papers quarterly, negating the cost savings for most counties. The amendment passed with a sunset in two years.

AJR10 which would institute a commission to recommend the salaries of elected officials did not originally include counties. It has been amended to include counties for salaries only (not the benefit component of the bill). The commission will be appointed by the Governor but will not include elected officials or lobbyists. The bill has passed out of both houses and it will have to be adopted by the next legislature before being voted on in 2019 by the public.

SJR13 regarding changing the constitution on how property taxes are assessed etc. was discussed by the Board. While it is understood the property tax system needs to be revamped, as it exists the bill is detrimental to counties. Commissioner Johnson suggested the possibility of an interim committee to review the property tax system for recommendations in the next session; direction was given for Jeff and Dagny to make the suggestion to Senator Settelmeyer, the bill's sponsor.

AB412 the Assembly Minority Leader's tax bill, a portion of which would enable counties and school districts to raise property taxes by .05 each outside caps and abatements was also discussed. There is not a lot of support for the portion of the bill enabling counties to raise taxes.

10. **Update on the Amici Curiae filed by NACO with the Nevada Supreme Court in Support of Respondents McCarran International Airport and Clark County's Answering Brief Seeking Affirmance of the Eighth Judicial District Court's Order Entered on August 30, 2012 Granting Motion for Summary Judgment Against Respondents North American Properties (Case No.: A-09-594649).** Jeff let the Board know the brief was filed on May 21st in conjunction with the Nevada League of Cities as per the Board's prior decision in May of 2014. He noted that if the Supreme Court reverses the decision there could be far reaching repercussions for counties.
11. **Discussion and Possible Action regarding NACO's Appeal to the United States Court of Appeals for the Ninth from the Judgment and Order of United States District Court for the District of Nevada Granting the United States Department of Interior's (Defendants') Motion to Dismiss the Complaint Filed by NACO and Other Plaintiffs on December 30, 2013 Seeking to Compel the BLM to Comply with the Provisions of the Wild Free-Roaming Horse and Burro Act. For Possible Action.** Jeff updated the Board on the conference call for mediation. Commissioner Dahl who was previously approved by the Board for participation in the call was excluded by the mediator. Mr. Pollot informed Jeff the intervener was uncooperative and there was no resolution. The lack of resolution does not preclude future mediation and he will continue with filing the appeal.

12. **Update regarding the Complaint Filed by NACO and Others on December 4, 2014 Against the U.S. Fish & Wildlife Service (USFWS) Seeking Declaratory and Injunctive Relief for Violations of the Endangered Species Act, the Administrative Procedure Act, and the United States Constitution for Entering into Private Settlement Agreements with Special Interest Litigants that Established Deadlines by which USFWS Must Make Listing Determinations for Certain Candidate Species, including the Greater Sage-Grouse (GSG) and Bi-State Distinct Population of the GSG.** Laura Granier called in and updated the Board on the status of the complaint. She said Judge Du issued an order staying the case pending the multi-jurisdiction litigation panel's decision on whether to vacate the initial transfer order, which is expected on the 28th, effectively placing the item in a holding pattern. President Wichman asked about the possibility of the vast majority of the State's access being withdrawn, and Nevada being impacted more than the other states involved is a strong argument for the case staying in Nevada.
13. **Update and Possible Action regarding U.S. Fish and Wildlife Service's Listing Determination of the Greater Sage-Grouse and Proposed Plans for Protection of Greater Sage-Grouse Habitat in Nevada. For Possible Action.** Commissioner Goicoechea noted the final EIS should be released within the next couple of weeks and Commissioner Dahl noted the comment period would only be nine days. Commissioner Goicoechea noted that the differences between the draft and final plan may not hold up in a legal review. He also noted that if given a chance the State's plan will work both economically and for the habitat for the birds.
14. **Approval of a Letter to Governor Sandoval Urging Him to Undertake a Consistency Review of the Bureau of Land Management and U.S. Forest Service Greater Sage-Grouse Land Use Plan Amendment Administrative Draft Final Environmental Impact Statement. For Possible Action.** The sending of a letter was approved on a motion by Commissioner Johnson with second by Vice President Phillips.
15. **Discussion and Possible Action regarding H.R. 1214, "National Forest Small Tracts Act Amendments of 2015." For Possible Action.** The lands associated are areas the Forest Service doesn't want to manage that are tracts of 40 acres or less. The Board elected to send a letter of support on a motion by President Elect Carson with second by Commissioner Collins.
16. **Presentation by Congressman Mark Amodei, Nevada's 2nd Congressional District.** The Congressman discussed item 15. He also noted an editorial would be in the RGJ, explaining how the lands in question would be transferred, the need for the counties to be involved with the land use decisions, as well as the extended the period of time it will take to get the issue resolved. He noted the interior appropriations bill would be marked up the following week and includes full funding for PILT. Once that is completed his focus would be back on land bills. He spoke to the appropriations language on the Sage Grouse issue noting that would give funds to the state's for management. He also spoke to the RMP's and some of the language within them that is not based on actual science. The Congressman noted that his appointment to the appropriations committee gives him the ability to focus on other areas of importance once the financial aspects are completed earlier in the two-year cycle of each Congress. He spoke to the proposed monument classification surrounding Yucca Mountain and that it would restrict access and right of ways. He is working on a plan to try to bring some of his colleagues to the State over the summer to brief them on issues within Nevada and assist in future

educated discussion in Washington DC. He spoke to the 3rd extension of the Highway Trust Fund and the fact that the expiration of the extension does not lend itself to the completion of projects or to the trust of the contractors relying on the funds to complete those projects. He also spoke to a bill he has cosponsored that would leverage the federal gas tax that would provide funding for the next ten years. There was also discussion on wild fire plans regarding suppression and how to repair lands once they have been burned.

17. **NACO Board Member Updates.** Updates were given from each county.

18. **Public Comment.** None was given.

The following pages are support
documentation for agenda
Item 5

Nevada Assoc Of Counties Account Summary

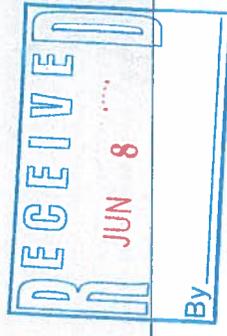
Account No. [REDACTED] Closing Value \$443,004.57

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NEVADA ASSOC OF COUNTIES (NACO)
EAM HQTAX
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Online Account Access | raymondjames.com/investoraccess

Investment Objectives

Primary: Income with a medium risk tolerance and a time horizon exceeding 10 years.

Activity

	This Statement	Year to Date
Beginning Balance	\$ 443,705.11	\$ 438,597.91
Deposits	\$ 0.00	\$ 0.00
Income	\$ 744.82	\$ 5,354.18
Withdrawals	\$ 0.00	\$ 0.00
Expenses	\$ 0.00	\$ (1,094.96)
Change in Value	\$ (1,445.36)	\$ 147.44
Ending Balance	\$ 443,004.57	\$ 443,004.57
Purchases	\$ (13,057.22)	\$ (63,039.26)
Sales/Redemptions	\$ 7,481.64	\$ 55,187.68

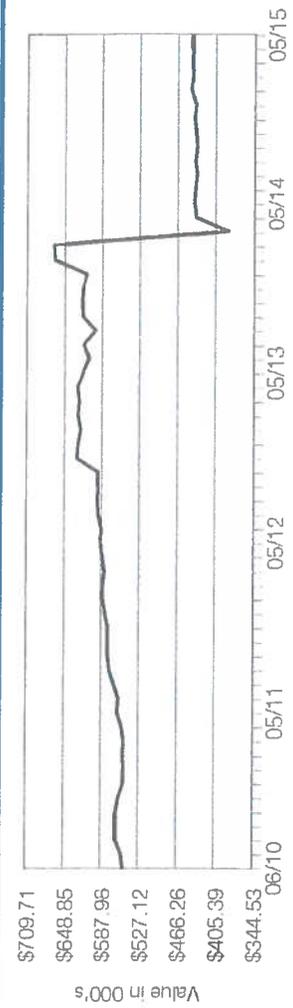
Time-Weighted Performance

See Understanding Your Statement for important information about these calculations.

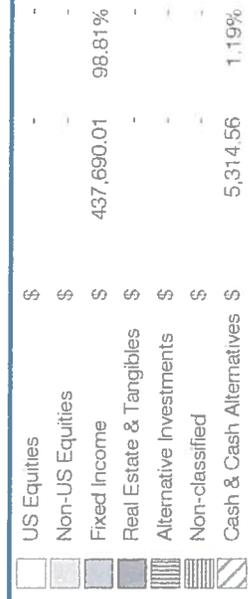
Performance Inception	YTD	2014	2013
08/26/96	0.92%	0.26%	(3.71)%

Excludes some limited partnerships, unpriced securities and annuity history prior to the annuity being linked to the account.

Value Over Time



Asset Allocation Analysis



Nevada Assoc Of Counties Account Summary

Account No. [REDACTED] Closing Value \$197,403.66

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NEVADA ASSOC OF COUNTIES (NACO)
EAM EQINC
304 S MINNESOTA ST
CARSON CITY NV 89703-4270046

Investment Objectives

Primary: Growth with a medium risk tolerance and a time horizon exceeding 10 years

Activity

	This Statement	Year to Date
Beginning Balance	\$ 196,561.23	\$ 198,007.77
Deposits	\$ 0.00	\$ 0.00
Income	\$ 414.74	\$ 2,131.35
Withdrawals	\$ 0.00	\$ 0.00
Expenses	\$ (11.01)	\$ (2,495.19)
Change in Value	\$ 436.70	\$ (240.27)
Ending Balance	\$ 197,403.66	\$ 197,403.66
Purchases	\$ 0.00	\$ (13,064.44)
Sales/Redemptions	\$ 0.00	\$ 12,688.55

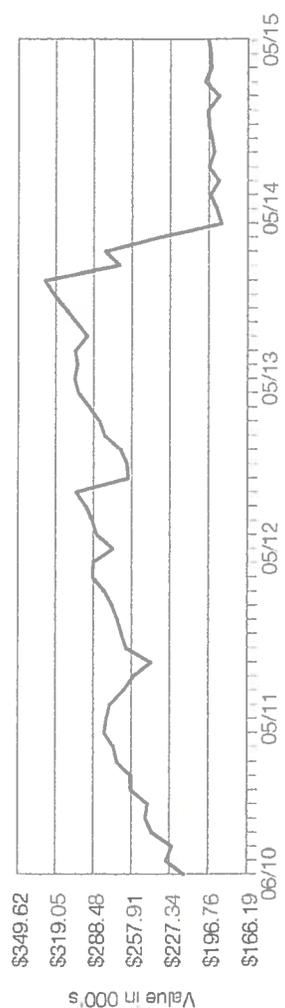
Time-Weighted Performance

See Understanding Your Statement for important information about these calculations.

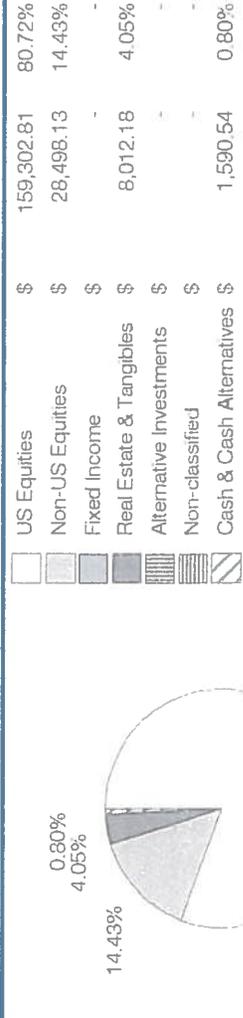
Performance Inception	YTD	2014	2013
08/26/96	(0.06)%	7.86%	26.96%

Excludes some limited partnerships, unpriced securities and annuity history prior to the annuity being linked to the account.

Value Over Time



Asset Allocation Analysis



Nevada Association of Counties
Income Statement
For the Five Months Ending May 31, 2015

	Current Month		Year to Date	
Revenues				
Investment Revenue - EQ	\$ 414.74	7.31	\$ 2,131.35	0.49
Investment Revenue - HQT	744.82	13.13	5,354.18	1.23
Membership Dues	0.00	0.00	356,059.00	82.03
IAF/Supplemental Funds	0.00	0.00	30,000.00	6.91
Wild Horse Burro Legal Contrib	5,000.00	88.15	20,000.00	4.61
Land Management Task Force	0.00	0.00	438.50	0.10
Interest Income	19.50	0.34	91.81	0.02
National Programs	500.00	8.81	4,318.79	0.99
Associate Memberships	0.00	0.00	15,750.00	3.63
Unrealized Gain/(Loss)-EQINC	438.70	7.73	(240.27)	(0.06)
Unrealized Gain/(Loss)-HQTAX	(1,445.36)	(25.48)	147.44	0.03
	<u>5,672.40</u>	<u>100.00</u>	<u>434,050.80</u>	<u>100.00</u>
 Total Revenues				
	<u>5,672.40</u>	<u>100.00</u>	<u>434,050.80</u>	<u>100.00</u>
 Cost of Sales				
	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
 Total Cost of Sales				
	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
 Gross Profit				
	<u>5,672.40</u>	<u>100.00</u>	<u>434,050.80</u>	<u>100.00</u>
 Expenses				
Salaries	18,133.90	319.69	98,098.48	22.60
Retirement	4,807.62	84.75	18,759.73	4.32
Employee Health Insurance	3,654.90	64.43	15,762.18	3.63
Employee Life Insurance	0.00	0.00	358.05	0.08
FICA and Medicare Expense	288.35	5.08	1,517.49	0.35
ESD Expense	37.44	0.66	425.70	0.10
PEBP Expense	0.00	0.00	709.68	0.16
Equipment Maint/Lease	254.32	4.48	2,198.96	0.51
Office Supplies	(11.00)	(0.19)	1,154.32	0.27
Telephone	662.72	11.68	4,478.18	1.03
Liability/Auto Insurance	315.00	5.55	2,030.00	0.47
Publications/Subscriptions/Dues	144.50	2.55	1,570.83	0.36
Printing	0.00	0.00	1,577.00	0.36
Staff Travel	734.45	12.95	6,348.94	1.46
Representative Travel	1,040.00	18.33	8,980.98	2.07
WIR Dues/Travel	(8,256.46)	(145.55)	8,256.46	1.90
Property Taxes	0.00	0.00	770.00	0.18
NACO Conference Facility	0.00	0.00	5,000.00	1.15
Board Meetings	270.88	4.78	1,219.49	0.28
Legislative Expense	0.00	0.00	1,520.00	0.35
Video Conference Hosting	41.20	0.73	9,543.60	2.20
Payroll Processing Service	207.08	3.65	1,211.24	0.28
Wild Horse Burro Legal Service	(5,000.00)	(88.15)	1,110.00	0.26
NV Land Management Task Force	0.00	0.00	1,885.00	0.43
Bank Charges	0.00	0.00	54.63	0.01
Investment Expense	11.01	0.19	3,590.15	0.83
Utilities	399.42	7.04	1,997.63	0.46

Nevada Association of Counties
Income Statement
For the Five Months Ending May 31, 2015

	Current Month		Year to Date	
Maintenance & Repairs	140.00	2.47	1,188.28	0.27
Janitorial Expenses	<u>370.00</u>	6.52	<u>1,850.00</u>	0.43
 Total Expenses	 <u>18,245.33</u>	 321.65	 <u>203,167.00</u>	 46.81
 Net Income	 <u>(\$ 12,572.93)</u>	 (221.65)	 <u>\$ 230,883.80</u>	 53.19

The following pages are support
documentation for agenda
Item 10



2015 Session of the Nevada Legislature SUMMARY OF BILLS THAT WILL AFFECT COUNTIES June 2015

(Italics indicate actions that counties must take)

BILLS THAT PASSED

[AB19](#) – (League of Cities' Bill) Changes the date that ***counties must hold budget hearings*** from the third Monday in May to ***anytime between the 3rd Monday in May and the last day of May.***

[AB25](#) – (League of Cities' Bill) Counties may now use the residential construction tax not only to build new park facilities but also to make improvements to or replace existing facilities.

[AB41](#) – (IAF Clean-up Bill) This bill made changes to the administration of the Indigent Accident Fund (IAF) including: balances can roll over annually; officially eliminates the Supplemental Account so that that amount can go to the IAF account; allows the fund to transfer funds to DHHS.

[AB54](#) – Gives the State additional tools in the event that local governments have a fiscal emergency including ability to reopen collective bargaining agreements and renegotiate with creditors.

[AB62](#) – ***The county*** agency responsible for interring or cremating the remains of indigent people, ***if they have reason to believe that a deceased indigent person was a veteran, must report the name of the deceased to the Department of Veteran's Services*** and if applicable, help arrange for disposition with the national or other veterans cemetery or the Department.

[AB90](#) – Creates a statewide mutual aid system for emergency management within which each public agency is required to participate unless they opt out. The language included a process for reimbursements, an advisory committee, and other procedures including immunity for assisting agencies.

[AB94](#) – Allows county registrars/clerks to provide electronic sample ballots.

[AB106](#) – Eliminates the requirement that an architect who is not a member of a design-build team defend a county in a lawsuit alleging negligence or misconduct on the part of

the architect, though if the architect is found liable he/she must reimburse the county for legal costs.

[AB159](#) – Bill regarding granting contracts for public works, tax abatements, grants, and tax credits. ***A county may not either require or prohibit entering into labor agreements in connection with awarding a contract for a public work or awarding a grant, abatement, or tax credit.*** A county may be exempt from these provisions if there is a special circumstance having to do with the health and safety of the public or if the project involves critical infrastructure for an airport or water system.

[AB161](#) – Creates property, sales, and use tax abatements for aircraft and aircraft manufacturing and components.

[AB162](#) – A county sheriff may require officers to wear body cams. ***If officers are required to wear body cams then the sheriff must enact specific policies and procedures regarding use of the cameras and the recordings.***

[AB163](#) – Allows counties to create rangeland fire associations and outlines who can petition a commission to form an association and the duties and responsibility of the county and the association.

[AB172](#) – Increases the threshold to require prevailing wage on public works from \$100k to \$250k.

[AB191](#) – The requirement for a statewide ballot question regarding raising motor vehicle fuel (MVF) taxes is removed and each county is individually given the authority to inflation index these taxes following a vote in that county in 2016. If passed the additional state tax gas and diesel tax revenues would go to the State Highway Fund for projects within the county where the tax was collected. The additional revenue from the federal and county taxes on gas as well as federal taxes on special fuels, including diesel, would be returned to the county for distribution and use under statutory formulas.

[AB202](#) – (Mineral County Bill) Authorizes counties to receive grants of land from the federal government pursuant to any federal legislation. Also transfers land from the State to Mineral County.

[AB293](#) – Changes to the law regarding public administrators – gives counties additional authority to take action on complaints received regarding the public administrator (PA); and rural county PAs have to get commission approval before removing property from the county and must submit an annual audit.

[AB307](#) - Establishes a pilot program to provide intensive care coordination services to children with intellectual disabilities and children with related conditions who have also been diagnosed as having behavioral health needs and reside in Clark and Washoe Counties.

[AB332](#) – ***Counties may no longer receive a sales and use tax exemption on materials purchased as part of public works contracts. Does not apply to public works***

projects with certain ongoing purchases and things like traffic signals, but for those items that are still purchased using the tax exemption, an itemized list must be submitted to the Department of Taxation each year. None of these requirements apply to public works projects performed in house or to materials purchased for applies to projects performed in house.

[AB336](#) – Allows local fuel taxes to be used for the construction, maintenance, and repair of improvements within the right-of-way of public streets, roads, or highways.

[AB380](#) – Creates a mechanism to require online businesses to pay sales and use taxes on sales to Nevadans.

[AB435](#) – Creates a new judicial district for Humboldt County and readjusts the judicial districts for Pershing, Nye, and Mineral.

[AB452](#) – Changes and clarifies who can file appeals with a county assessor.

[AB462](#) - (Requested on Behalf of the County Clerks/Registrars) Clean up to the NRS governing elections and changes to allow voter lists to be published online and voter info kept in electronic form. Also expands precinct size to max of 3,000 voters and includes language to allow electronic sample ballots.

[AJR10](#) – Resolution to change the way salaries are set for legislators, judges, and county elected officials in the Nevada Constitution. The Constitution would be changed so that salaries for elected officials would be studied and set by an independent commission.

[SB22](#) – (League of Cities Bill) Removes the requirement that a county license is required for wholesale liquor sales as well as wineries, breweries, and distilleries if the operator is located within city limits. ***Counties may no longer require licenses for liquor distributors who operate within city limits.***

[SB29](#) – (NACO Bill) Grants limited functional home rule to counties. Does not include additional authority to raise fees, taxes, regarding personnel decisions, or anything preempted by the State or federal government. ***Between July 1, 2015 and January 2017, each county is required to work with and provide information to NACO on the implementation of home rule in their jurisdiction.***

[SB30](#) – (NACO Bill) Makes longevity pay optional for county elected officials. Each year officials can individually opt out of receiving their longevity pay increase.

[SB33](#) – (Clark County Bill) Allows public hospitals to conduct closed board meetings when discussing expansion and acquisitions.

[SB56](#) – Clarifies county authority to recover damages from someone who defaced county property with graffiti, and expands the definition of graffiti to include etching and tagging livestock.

[SB59](#) – (State Business Portal Bill) The bill makes changes to the state business portal but includes the information that local governments “may” integrate “to the extent

practicable” and counties are not required to either upgrade their systems or “incur significant expense to comply.” Also exempts counties from reporting to the state that businesses licensed in their county carry workers comp if that business is registered with the portal.

[SB66](#) – Changes to statute governing development agreements including extensions, how development agreements can be canceled, and regarding the definitions of public facilities and infrastructure for the purposes of the agreements.

[SB70](#) – Changes to the open meeting law including: details required on agendas; ***requires that for each public meeting posted, counties must certify (document in writing) compliance with posting requirements; clarifies that public bodies may not designate proxy members unless specific legal authority is granted to the body to do so; requires a public body to approve the minutes of a meeting either within 45 days or at the body’s next meeting, whichever is later; and, either the minutes, or an audio recording of a public meeting must be made available within 30 days of the meeting.***

[SB95](#) – Bill allows counties to print property tax rolls online beginning in July 2016. (Counties may print them online prior to 7/2016, but if they do so they must print notices with specific information on tax rolls in the newspaper four times/yr.)

[SB111](#) – Requires all NHP officers to be outfitted with body cams – this bill originally had a mandate for all public safety officers in the state to wear cameras but that was removed.

[SB131](#) – Increases compensation to court reporters in district courts from \$170 to \$250 per day. Also increases the amount court reporters may charge for transcripts.

[SB144](#) – Enables local governments to create “pedestrian safety zones” – areas where new violations and penalties can be imposed on motorists.

[SB153](#) – Changes to “heart/lung” benefits including: lowers from five years to two the number of years required to have worked to be eligible for the benefits; if a person has worked less than 20 years, provides eligibility for the number of years equivalent to the number of years worked; workers comp benefits cannot be paid in addition to those medical benefits; tobacco use and not following doctor’s advice are disqualifications from the benefits.

[SB157](#) – ***Requires that, as part of the master plan process, a county must notify the State of anything in a proposed plan or amendment that may affect a state agency.***

[SB158](#) – ***Three days prior to the public hearing in which a collective bargaining agreement will be approved - a copy of the agreement shall be posted. The agreement made available to the public must include any supporting documents and an outline of the changes from any previous agreement.***

[SB168](#) – Authorizes local government to reopen collective bargaining agreements during fiscal emergencies, changes the limit on the amount of ending fund balance that

can be negotiated upon to not more than 25% of all general fund expenditures less capital outlay.

[SB170](#) – Authorizes GOED to grant property and sales tax abatements for data centers and businesses that collocate with data centers. The property tax abatement is up to 75%. Requires that GOED request a letter of acknowledgement of the abatement application from counties.

[SB241](#) – (Senator Roberson’s Collective Bargaining Bill) Changes include: removal of evergreen provisions (if a contract has not been renewed, pay increases shall not be automatic); disputes elevated to the EMRB must be heard within 45 days; other changes relating to school districts. One additional change is to paid leave provided to union members for union business. The union must now either reimburse the county for the paid leave or offset the cost through concessions during bargaining.

[SB249](#) – Changes the time within which an entity owed money by the county has to invoice the county for payment. Existing statute was six years – it is now one year.

[SB254](#) – Amount of payment that a county can “retain” from paying a contractor on public works is now 5% until 50% of the work is completed.

[SB276](#) – Counties with no medical marijuana establishment (MME) applicants have their allocation of dispensaries “reallocated” to other counties. For those counties who do have MMEs they must now allow dispensaries to transfer ownership or move locations.

[SB348](#) – Unclaimed dollars paid to local governments by individuals or developers for public works (impact fees etc...) are no longer treated as unclaimed property and passed on to the state but can now be kept by the local government.

[SB406](#) – (Senator Roberson’s PERs bill) This bill makes changes to PERs including: new members lose benefits if they are convicted of certain felonies; reduces the percentage increases each year to benefits during retirement; raises retirement age/age at which members are eligible for benefits; caps the compensation number upon which benefits are calculated and changes the multiplier used to calculate benefit amounts; increases benefits to spouses of members killed in the line of duty.

[SB411](#) – School Boards can form committees to write a ballot question asking the voters in any county except Clark County whether they would like to increase taxes for school construction. If the question is submitted by the committee to a county commission, then the commission must put the question on the ballot. If the voters then approve the question, the county commission must raise the tax approved by the voters.

[SB456](#) – Directs the AG to work with counties and NACO to develop a protocol for clarifying and achieving quiet title to RS2477 roads in Nevada.

[SB476](#) – Gives additional powers to and clarifies existing powers of conservation districts including enabling them, if the voters in a district approve, to levy a \$25 fee per parcel to fund conservation district activities.

[SB477](#) – Limits county authority to adopt a building code requiring fire sprinklers in single-family homes unless a cost benefit analysis is done to show that the system is needed to lower fire response times. Also prohibits counties from requiring sprinkler systems in outdoor arenas used for livestock or agricultural events.

[SB481](#) – Prohibiting counties from creating *comprehensive* maps of public utility infrastructure – does not limit county authority to require utilities to provide information about the location of infrastructure that may be needed for public works projects. Also includes a provision stating that a city cannot condition provision of city utility services to unincorporated county properties upon annexation.

[SB482](#) – (County Pay Bill) Increases **salaries for all elected county officials by 3% for each of the next four fiscal years**. Includes an-opt out for the county based on fiscal hardship and for individual officials.

[SB483](#) – (Tax Bill) Governor’s tax plan. Discontinues prepayment of net-proceeds of minerals to counties, effective 2016.

[SJR1](#) – Urges the federal government to transfer certain federal lands to the State of Nevada.

[SJR2](#) – Urges the federal government to share receipts for commercial activity on federal land with the State of Nevada and its counties.

[SJR4](#) – Urges the federal government to enact the Marketplace Fairness Act.

[SJR5](#) – Expresses support for the Nevada Plan for conservation of the sage-grouse and urges the U.S. Fish and Wildlife not to list the species.

[SJR13](#) – Proposes an amendment to the Nevada Constitution to change Nevada’s property tax system including resetting property value upon sale and putting a 3% bottom cap upon the decrease of property taxes.

Budget Items / Cost Shifts to Counties

NACO watched the budgeting process all Session and no new county assessments were enacted. There were increases in existing assessments based on inflation and case loads and one significant increase (\$1,064,000/year) allocated among the rural counties for child protective services, administered by the Department of Health and Human Services, Division of Child and Family Services.

BILLS THAT WERE DEFEATED THAT WOULD HAVE AFFECTED COUNTIES

[AB10](#) – (NACO Bill) Required the State of Nevada take on the cost for all indigent capital cases. (DEAD)

[AB148](#) – Would have required that, if a county wanted to prohibit firearms in a public building, a metal detector would have been required at every entrance. (DEAD)

[AB283](#) – (Assemblyman Hansen’s Bill) Provided clarification regarding the relationships between local and federal law enforcement officers and when either could or could not enforce laws on federal land. (DEAD)

[AB302](#) – Created the office of the inspector general with powers to audit and review actions of local governments to look for fraud, waste, corruption, and abuse. (DEAD)

[AB 326](#) – Bill would have increased the depreciation on vehicles but only in a way that would have affected proceeds to the GST, not counties. In addition the minimum registration fee for used cars was dropped from \$16 to \$6 (would have impacted counties.) Passed out of the legislature gutted and with only a provision re specialized license plates. (VETOED BY GOVERNOR)

[AB353](#) – Revised purchasing requirements for counties, removing the authority to do sole source contracts in a number of instances and requiring contracts to be put out to bid annually. (DEAD)

[AB403](#) – Required that all uniformed law enforcement officers wear cameras, that each officer carry liability insurance, and that independent boards be created to review officer conduct and investigations of conduct by agencies. (DEAD)

[AB405](#) – Required that counties pay the cost for appointment of an attorney for each minor or ward seeking an abortion without the permission of their guardian. (DEAD)

[AB408](#) – Prohibited the federal government from owning any land or water in Nevada except that authorized by the State or upon which there are military installations. (DEAD)

[AB412](#) – (Minority Leader Kirkpatrick’s Bill) Adjusted the mechanism for taxing commercial property so that the tax rate could not drop below 6% (currently drops below that in many counties due to the abatement) and changed rules relating to the income valuation method for commercial property. (DEAD)

[SB16](#) – (NACO Bill) Would have taken the percentage of the costs for producing pre-sentence investigation reports that counties pay to the State down from 70% to 30%. (DEAD)

[SB19](#) – Bill allowing school boards to put questions on the ballot. (DEAD)

[SB28](#) – (League of Cities Bill) Would have allowed local governments to charge additional fees to make copies of public records. (DEAD)

[SB81](#) – State Water Engineer bill having to do with water appropriations. (DEAD)

[SB125](#) – Establishes the Nevada Air Service Development Commission and fund, which would have provided incentives to increase air service at smaller airports. (DEAD)

[SB193](#) – Would have increased minimum wage in Nevada to \$9/hr and made changes to hours required to receive overtime. (DEAD)

[SB238](#) – (Ely Bill) Requires that a question be placed on the ballot in the City of Ely regarding whether the citizens would like the City disincorporated into the county. (VETOED BY GOVERNOR)

[SB277](#) – Would have created a Nevada “NEPA” process. (DEAD)

[SB412](#) – Moves the presidential primary up to February. (DEAD)

[SB433](#) – Bill would have “standardized” early voting hours and locations across the State and removed clerk/registrar’s ability to individually determine which locations and hours are best. (DEAD)

[SB451](#) – Created an indigent defense commission, standards for indigent defense in Nevada, and structure of the State PD office. Froze the amount that counties are paying now for indigent defense as their permanent contribution and the state would begin to pay the balance. (DEAD)

[SB475](#) – Would have allowed counties or cities in a severe financial hardship to declare bankruptcy. Would have negatively impacted county bond ratings. (DEAD)

[SB487](#) – Would have required counties to take on the cost to house individuals deemed mentally incompetent to stand trial by a district court at Lake’s Crossing. The State had estimated that it costs \$168,000/year to house each individual. (DEAD)

[SJR8](#) – Proposed to change the Nevada Constitution to increase the minimum wage to \$15 and \$16 per hour. (DEAD)

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The following pages are support  
documentation for agenda  
Item 11

# An Overview Of The State Demographer's Office

June 26, 2015

Nevada Association of Counties Board Meeting

Jeff Hardcastle  
Nevada State Demographer

# What I Will Be Covering

- What the office does
- Rules and regulations
- How the data is used
- The Estimates Process
- The Projections Process
- 2020 Census
- Open Discussion
  - Ways to involve local government
  - Data and information needs

# What The Office Does

- Prepares NRS estimates and projections
- Data Dissemination
- Works with state and local agencies as requested
- Works with the Census Bureau and other national organizations

# NRS and Census Agreements

- NRS – Department of Taxation
  - Population Estimates
  - Five and 20 Year population projections
  - Age, Sex, Race, and Hispanic Origin Estimates and Projections
  - Working with the Census Bureau
  - Gathering and being a repository for parcel data
  - Economic Forum's Technical Advisory Board
- NAC 360.300 governs the estimates process
- Census
  - Federal State Cooperative for Population Estimates
  - State Data Center Affiliate

# How are the estimates and projections used?

- Estimates
  - CTX and Motor Fuels Tax Distribution
  - Judicial Townships
  - Control totals for other estimates and projections
- Projections for caseload forecasts and transportation planning
- Age, Sex, Race, and Hispanic Origin Estimates for denominators for health statistics
- Data in public domain for various public and private uses.

# So How Are The Estimates Produced?

- The county total is an average of two estimates
  - A housing unit-based estimate
  - An economic-based estimate
- The cites are based on their share of the housing unit-based estimate applied to the county total.
- Subject to appeal

# The Housing Unit Estimate

- Based on local assessor counts
- Occupancy rates
  - Adjusted with utility data and benchmarked to the Census where available.
- Persons per household from 2010 Census
- Group Quarters adjusted if there is a major change
- Non-traditional housing

# The Economic-based Estimate

- At times thought to be causing low estimates
- It is not a ratio of population to employment
- Relationship between an independent and dependent variable
- NAC identifies the following variables
  - Population, Employment, Labor Force, School Enrollment
- Look at best statistical results
- Look at how draft certified estimate performs compared to other indicators

# So how accurate are the estimates?

Two ways to look at them compared to the Census

- Overall average error, are they above or below that count
- Size of the difference from the Census

| <b>Comparing The Accuracy of Nevada's 2010 Estimates</b> |                                |                       |                           |                         |
|----------------------------------------------------------|--------------------------------|-----------------------|---------------------------|-------------------------|
|                                                          | <b>Census Bureau Estimates</b> | <b>Economic-Based</b> | <b>Housing Unit-Based</b> | <b>Certified Series</b> |
| <b>Average Error</b>                                     | -4.1%                          | -2.0%                 | 6.4%                      | 2.2%                    |
| <b>Size of Error</b>                                     | 6.8%                           | 6.8%                  | 12.3%                     | 8.1%                    |

# The Projections

- Utilizes the Regional Economic Models, Inc. (REMI Model)
  - The model has developed over 35 years
  - Looks at the relationship between the demographic and economic structure of a county or region
  - Looks at Nevada's 17 counties and the US as a whole.
- For example, population can be
  - Economic, International, and Retiree Migrants
  - The local labor force
  - Consuming of private and public goods and services

# 2020 Census – Coming Soon

- Reapportionment, Federal Funding, and Demographic Information
- The American Community Survey provides sample data (education, income, etc.)
- For 2010 Census I visited local governments to prepare for it in 2007 and 2009.
- Depending on their budget, the Census Bureau will be looking still for local help to get a complete count.

- Questions?
- Open Discussion
  - Ways to involve local government and improve the system
  - Data and information needs