

NOTICE OF PUBLIC MEETING OF THE ESMERALDA COUNTY BOARD OF COMMISSIONERS SPECIAL MEETING

January 15, 2019
10:00 A.M.
Esmeralda County Courthouse
Commission Chambers
233 Crook Ave., 2nd Floor
Goldfield, Nevada

1. **CALL TO ORDER AND ROLL CALL.**
2. **PUBLIC COMMENT.** (Discussion only. Action may not be taken on any matter brought up under this agenda item. It must be placed on an agenda, at a later meeting for action.)
3. ***APPROVAL OF EXPENDITURES.**
4. ***DISCUSSION/DECISION/APPROVAL:** REJECTED VENDOR BILLS FROM AUDITOR'S OFFICE.
5. ***APPROVAL OF MINUTES** for the 09/04, 09/11, 09/18, and 10/02/18 meetings of the Esmeralda County Board of Commissioners.
6. ***APPROVAL OF TREASURER'S REPORT.**
7. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Requesting permission to submit a market modification for Esmeralda County. This request to the Federal Communication Commission would allow Esmeralda County to change its "local stations" from current Los Angeles to Las Vegas. (Tim Hipp)
8. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Change County Ordinance 124 to add Marijuana Cultivation, Growing, and Selling. (Sergeant Matthew Kirkland)
9. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Approve and sign contract for Jason Earnest, new Esmeralda County Public Defender (contract to be presented at meeting). (Robert Glennen)

Esmeralda County is an equal opportunity employer and Provider

Minutes from the September 04, 2018 Commission Meeting

September 04, 2018

10:00 a.m.

Esmeralda County Courthouse

Commission Chambers

233 Crook Ave., 2nd Floor

Goldfield, Nevada

DRAFT

1. CALL TO ORDER AND ROLL CALL.

Michelle Bates -	Chairman
Delon "De" Winsor -	Vice-Chairman
Ralph Keyes -	Commissioner
Robert Glennen -	District Attorney – In Court
LaCinda Elgan -	Clerk of the Board

2. PUBLIC COMMENT. (Discussion only. Action may not be taken on any matter brought up under this agenda item. It must be placed on an agenda, at a later meeting for action.)

Commissioner Bates stated she appreciated the Board's indulgence with her missing meetings because she had surgery.

Nancy Boland came up and stated that the federal register notice for the conveyance of Gold Point has been published. She also stated that she asked the D.A. to formulate an opinion on how to too-long occupied mills sites were going to be handled out there. She asked that someone follow up with that.

Commissioner Winsor stated that he was at a meeting with Tim Coward regarding Gemfield and Mr. Coward said they are moving forward.

Jess Rosner with Nye Communities Coalition came up and stated that they are looking into a grant called OD Maps. This is a part one grant. He said they need information from us to develop a preparedness plan regarding opioid overdose.

This will be put on a special meeting agenda for 09/11/18.

3. RECESS TO ESMERALDA COUNTY BOARD OF HIGHWAY COMMISSION:

Commissioner Keyes made the motion to recess to the Highway Commission.

Commissioner Winsor seconded the motion. All in favor: Motion carried.

Back to Order

4. *APPROVAL OF EXPENDITURES.

Commissioner Keyes made the motion to approve the expenditures.

Commissioner Winsor seconded the motion. All in favor: Motion carried.

Minutes from the September 04, 2018 Commission Meeting

5. ***DISCUSSION/DECISION/APPROVAL:** Rejected Vendor Bills from Auditor's Office.
This item will go on the 08/11 meeting agenda.

6. ***APPROVAL OF MINUTES** from the Meetings of the Esmeralda County Board of Commissioners.
None.

7. ***FINANCIAL REPORTS:**
None.

8. **UPDATE OF CURRENT AND FUTURE MEETINGS AND ACTIVITIES OF:**

Robert Glennen – District Attorney – not present

Ken Elgan – Sheriff

Sheriff Elgan came up and stated that the new shop is up and they are waiting for NV Energy to do the meter. They have to move it from the old building to the new one.

LaCinda Elgan – Clerk/Treasurer – no report

Ruth Lee – Assessor – not present

Vera Boyer – Auditor/Recorder – not present

Mike Anderson – Goldfield Utilities/Es. Co. Public Works Supervisor

September 4th, 2018

Utilities:

8/14/2018 – De, Susan and Mike went to Carson City for a Gemfield meeting.

8/15/2018 – Randy Mark came out and did an inspection with our sewer ponds, everything looks good with our sewer ponds.

8/21/2018 – De, Susan, Gemfield Resources, Mike had a meeting with Tim Coward from the BLM office in Tonopah to discuss the EIS.

8/27/2018 – Mike and Susan had a meeting with Joseph Martini and Laura Fernandez concerning water rights.

8/29/2018 – Mike and Susan had a meeting with the BLM concerning the DEIS.

General Maintenance:

8/14/2018 – We did maintenance around the park: weeding around the playground equipment, around the picnic table area, trim the trees with choppers, removed tree saplings and worked on the bird drip system and did a little weeding around the Rest Area.

Minutes from the September 04, 2018 Commission Meeting

To Update: August 15, 2018, we did interviews for the current positions that are open; we have a new person on staff starting with us on 08/27/2018 for the Goldfield Utilities Helper. We are still looking for one more position to be filled.

Nevada Department of Forestry was out here this month for the program of Senior Weeds, every house they did, came out great and the seniors were very happy with them.

Sherry Huffman – Administrative Assistant

Sherry stated that she went to an HR training meeting and it turned out really well. She stated she put in for a scholarship for Silver State Grants.

Sherry stated that the new bus is back. She stated the transmission is fixed and was under warranty. It is now ready for decals.

Sylvia Rich – Public Administrator – not present

Robert Glennen – Public Guardian – not present

Public Lands Committee – nothing to report

Kenneth Elgan – DEM Coordinator – nothing to report

Fish Lake Valley Park Board

Commissioner Keyes stated that there is a meeting next Wednesday that he will be attending.

Esmeralda County Library Board – not present

Commissioner Keyes stated again that the State Land Use Committee meeting was cancelled last week and they haven't set a new date. It is regarding RS2477 roads.

He stated that there is a Central Nevada Regional Water Authority call-in meeting next week regarding the lawsuit that was filed against the Southern Nevada Water Authority, which we won. We are trying to keep our water going to the eastern part of the state instead of Las Vegas.

9. Update of Current and Future Meetings and Activities of Commissioner's Bates, Winsor and Keyes. (This is only an update. No decisions will be made.)

Commissioner Keyes stated that the Inyo National Forest Plan Revision was filed and the comment period will be due at the end of the month.

Commissioner Winsor stated he has another LEO meeting this month.

Commissioner Bates stated that she missed a couple of meetings because of surgery but she was able to go to the NACO meeting.

ELECTED OFFICIAL / DEPARTMENT SUPERVISOR / GENERAL PUBLIC ACTION ITEMS:

- 10. *FOR POSSIBLE ACTION: DISCUSSION/DECISION:** To approve Public Works Supervisor Mike Anderson to set rate of pay above the starting rate of pay for his secretary due to employee transferring from another department that has longevity with the county. Approve rate of pay to be the same she made less chief deputy pay (15.3790) with the effective date August 6, 2018, according to personal policy 4.10.1. (Mike Anderson)

Minutes from the September 04, 2018 Commission Meeting

Mike asked that a letter be read into the minutes:

September 4, 2018

Board of County Commissioners

RE: SETTING RATE OF PAY FOR SECRETARY FOR THE PUBLIC WORKS SUPERVISOR.

The Honorable Commissioners:

Rachel Holt who service as my secretary for eight years, resigned effective August 17, 2018. Upon receipt of her resignation I advertised the position internally and externally. I received an application from Angela Jewell, who at the time was an employee of the Clerk Treasurer's office, holding the position of Chief Deputy. After careful consideration I offered Angela Jewell the position. The factors which lead me to this decision include but not limited to:

1. Angela has been employee of Esmeralda County for eight years.
2. Angela is very familiar with Esmeralda County procedure and is capable of completing a number of tasks without having to be trained. A few of the more important task including but not limited to:
 - a. Entering invoices for payment
 - b. Familiar with Goldfield and Silver Peak Water Billing, Customers, Utility policies
 - c. Location of County Facilities
 - d. Familiar with County Offices and Personnel
 - e. Familiar with County Personnel Policy which will assist me in dealing with personnel issues

Angela Jewell accepted my offer. Angela transferred from the Clerk Treasurer's office without losing even one day of work. Based on her experience, qualification and longevity with the County I respectfully request per the Personnel Policy Section 4.10 approval by the county Commissioners to allow me to set her rate of pay at \$15.3790 effective August 6, 2018, which amount is above the minimum rate of pay stated for this position. The rate of pay being requested is the rate of pay Angela received from the clerk Treasurer's office, less the chief deputy pay, which is a \$1.21 per hour decrease. My budgets currently will support this rate of pay as it is for the Administrative rate, I will contact the payroll department.

My request to set this rate of pay is similar to the action taken when the Chief Deputy of the Clerk Treasurer's office transferred to the Administrative Assistant to the Board of County Commissioners in January, 2016.

Thank you for your considering of my request.

Sincerely,

Michael Anderson – Public Works Director

Commissioner Keyes made the motion to approve Public Works Supervisor Mike Anderson to set the rate of pay above the starting rate of pay for his secretary due to the employee

Minutes from the September 04, 2018 Commission Meeting

13. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Discuss and choose the projects for next year's CDBG grant application. (Sherry Huffman)

Item numbers 13 and 18 are the same so item 18 was discussed.

18. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Discuss and entertain any comments on potential application identified on August 13, 2018 for funding under the FY19 state community development block grant program as follows:

- Road Improvements for Goldfield Historic District – CDBG Request \$425,000.
- Community Hall Commercial Kitchen Upgrade – CDBG Request \$150,000.

ACTION: Solicit and approve of any additional projects for consideration and select up to two Esmeralda County grants and up to two Esmeralda County sponsored grants to move forward with FY19 grant application process. (Sherry Huffman)

Sherry Huffman came up and stated that there was an amendment on the Community Hall commercial kitchen upgrade of \$150,000.00. Today's meeting is to see if there are any additional comments. Commissioner Winsor confirmed that this upgrade was for the community center across the parking lot from the courthouse here in Goldfield. It is. Commissioner Winsor stated this is an historical building and it would be difficult to make changes to it and it was discussed to find a different to pick a different area to present to this meeting. Sherry stated that at this time she has an email out to SHPO; these are the people to take care of historical buildings; and she has not heard back from them yet.

Sherry stated that she is also in contact with the Health Nurse, but she is working by herself and is very hard to reach, but they are looking at some type of grant for her as well.

Commissioner Keyes asked if the kitchen area could be expanded. Sherry stated she has started a restaurant and bakery from scratch and she said we need a commercial freezer, fridge and a 3-sink. She thinks we could expand the kitchen area to the stage. We don't use that area right now anyway.

Commissioner Keyes stated maybe we could make the building ADA compliant as part of this grant as well. The entrance and bathrooms would be included in that.

The road improvement for the Goldfield Historical District. Sherry doesn't have the map for that and would have to get that from the Road Department. Ed Rannells stated that his problem is that the County funds the oil and then gets reimbursed by CDBG. He doesn't have the funds in the Road Department to fund this project. LaCinda Elgan stated that sometimes funds go into a negative balance. The County has the ability to cover that balance.

Sherry will put this item back on the September 18, 2018 agenda.

Minutes from the September 04, 2018 Commission Meeting

17. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Review and obtain approval signatures for the Incumbent Worker Training Program contract in order to pay for the Certification for Public Librarians for the Silver Peak Library. (NyE Communities Coalition & Workforce Connection)

Jess Rosner with Nye Communities Coalition came up with Ed Kelly, who is the new Workforce Manager. Ed is out of Pahrump. They discovered that the two ways they would normally pay for this would not work this time so they came up with this program. They have been working with Shuwanda Nance and this is the first time they are doing this so they have had to create the policies as well as this whole contract. They wanted to point out that this is a reimbursement. They have to do a pre-award.

Commissioner Keyes made the motion to approve signing the Incumbent Worker Training Program contract in order to pay for the Certification for Public Librarians for the Silver Peak Library through the NyE Communities Coalition and Workforce Connection.

Commissioner Winsor seconded the motion. All in favor: Motion carried.

Mr. Rosner will talk with Sherry to get names and numbers.

12. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Approve Contingency Agreement with Eglet Prince, LLP and Bradley, Drendel and Jeanney Law Firms for legal services (for possible action) – consideration, discussion and possible approval of a contingency agreement by and between Esmeralda County, Nevada, a political subdivision of the State of Nevada, ("COUNTY") and the law firm of Eglet Prince, LLP and Bradley, Drendel and Jeanney, LLP for legal services in connection with potential litigation against the manufacturers, distributors, marketers, sellers and retailers that in any way caused or contributed to the COUNTY's opioid epidemic. Discussion and possible action. (Robert Glennen)

Mr. Glennen stated they had a presentation from Eglet Prince talking about litigation against the opioid manufacturers for false advertising. Mr. Eglet would be glad to be here and answer questions personally if any member of the commission wants to talk to him personally. We can reschedule for another agenda if the commissioners would like.

Mr. Glennen will put on a future agenda with Eglet Prince will be here.

15. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Approval of Esmeralda County FY19 annual housing and community needs development statement required by Community Development Block Grant program. (Sherry Huffman)

Sherry stated that everything is the same.

Commissioner Keyes made the motion to approve Esmeralda County's FY19 annual housing and community needs development statement required by Community Development Block Grant program.

Commissioner Winsor seconded the motion. All in favor: Motion carried.

Minutes from the September 04, 2018 Commission Meeting

16. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Possible approval of past performance by Esmeralda County with Community Development Block Grant funding. (Sherry Huffman)

Projects:

Water System – Ongoing

911 System - Finished

Goldfield Street Repair – Ongoing

Trans. Vehicle – Finished

Commissioner Keyes made the motion to approve the past performance by Esmeralda County with the Community Development Block Grant funding.

Commissioner Winsor seconded the motion. All in favor: Motion carried.

COMMISSIONER'S ACTION ITEMS

19. ***FOR POSSIBLE ACTION** – Recess of meeting, pursuant to NRS 241.015(2)(b)(2) for purposes of conferring with legal counsel regarding potential or current litigation.
Not Needed

20. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION** - Discussion, deliberation, and possible decision on conference with legal counsel regarding potential or current litigation presented in closed meeting.
Not Needed

21. ***FOR POSSIBLE ACTION** - Closure of meeting, pursuant to NRS 288.220 for purposes of conducting labor negotiations, conferring regarding labor negotiations, issues and other personnel matters.

Vera Boyer Requested a closed meeting.

Commissioner Keyes made the motion to close the meeting.

Commissioner Winsor seconded the motion. All in favor: Motion carried.

Back to Order

22. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION** – Discussion, deliberation, and possible decision on labor negotiations, issues and other personnel matters presented in closed meeting.

Commissioner Bates stated that they spoke about POOL/PACT policies and they are going to get more information.

23. CORRESPONDENCE:

Commissioner Keyes stated that at the Economic Development meeting they got a letter there is a mining company going into FLV that is going to have a huge impact on the County.

Minutes from the September 04, 2018 Commission Meeting

24. **PUBLIC COMMENT.** (Discussion only. Action may not be taken on any matter brought up under this agenda item. It must be placed on an agenda, at a later meeting for action.)

None

BACK TO ITEM #14.

14. **FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Discuss job performance for 3-month performance evaluation of Sherry Huffman, administrator to the Esmeralda County Commissioners. Possibility of a pay increase. (Sherry Huffman)

Commissioner Keyes stated they could justify \$.25 now and then revisit it in 90 days.

Commissioner Keyes made the motion to increase Sherry's pay by 25 cents per hour based on her performance and look at her situation in another 3 months for a potential increase in pay based on our budget performance.

Commissioner Winsor seconded the motion. All in favor: Motion carried.

25. ***ADJOURNMENT:**

Commissioner Winsor made the motion to adjourn.

Commissioner Keyes seconded the motion. All in favor: Motion carried.

Minutes from the September 11, 2018 Commission Meeting

September 11, 2018

10:00 a.m.

Esmeralda County Courthouse

Commission Chambers

233 Crook Ave., 2nd Floor

Goldfield, Nevada

DRAFT

1. CALL TO ORDER AND ROLL CALL.

Michelle Bates -	Chairman – Not Present
Delon “De” Winsor -	Vice-Chairman
Ralph Keyes -	Commissioner – By Phone
Robert Glennen -	District Attorney
Devon Miguez -	Clerk of the Board

2. PUBLIC COMMENT. (Discussion only. Action may not be taken on any matter brought up under this agenda item. It must be placed on an agenda, at a later meeting for action.)

None

3. *FOR POSSIBLE ACTION: DISCUSSION/DECISION: Discussion and possible approval of a partnership agreement on the ODMAPS grant. (Jess Rosner)

Mr. Rosner came up and stated that the Grant for Esmeralda includes \$7,000.00 to help with the planning if we get the grant.

This is just the first step. There is no cost to Esmeralda County.

Nye has signed up, as well as Lincoln; but Lincoln may withdraw.

Commissioner Keyes made the motion to approve the partnership agreement to apply for the grant for ODMAPS funds in the amount of \$7,000.00.

Commissioner Winsor seconded the motion. All in favor: Motion carried.

4. PUBLIC COMMENT. (Discussion only. Action may not be taken on any matter brought up under this agenda item. It must be placed on an agenda, at a later meeting for action.)

None.

5. *ADJOURNMENT:

Commissioner Keyes made the motion to adjourn.

Commissioner Winsor seconded the motion. All in favor: Motion carried.

Minutes from the September 18, 2018 Commission Meeting

September 18, 2018

10:00 a.m.

Esmeralda County Courthouse

Commission Chambers

233 Crook Ave., 2nd Floor

Goldfield, Nevada

DRAFT

1. **CALL TO ORDER AND ROLL CALL.**

Michelle Bates -	Chairman – not present
Delon “De” Winsor -	Vice-Chairman
Ralph Keyes -	Commissioner
Robert Glennen -	District Attorney
Michelle Garcia -	Clerk of the Board

2. **PUBLIC COMMENT.** (Discussion only. Action may not be taken on any matter brought up under this agenda item. It must be placed on an agenda, at a later meeting for action.)

None

3. ***APPROVAL OF EXPENDITURES.**

Commissioner Keyes made the motion to approve the expenditures.

Commissioner Winsor seconded the motion. All in favor: Motion carried.

4. ***DISCUSSION/DECISION/APPROVAL: REJECTED VENDOR BILLS FROM AUDITOR’S OFFICE.**

None.

5. ***APPROVAL OF MINUTES** for the meetings of the Esmeralda County Board of Commissioners.

None.

6. ***APPROVAL OF TREASURER’S REPORT.**

None.

12. ***FOR DISCUSSION ONLY** – Bernard Rowe would like to present an informational overview of the Rhyolite Ridge Project; a proposed lithium-boron mine in Esmeralda County. (Bernard Rowe)

Mr. Rowe came up and stated he is the Managing Director of Global GSR in Australia and Paradigm Minerals in the U.S., a subsidiary company. He is here to talk about the Rhyolite Ridge lithium Boron project. It is located in Fish Lake Valley along Cave Spring Road. It is 60 percent Lithium and 40 percent Boron. This will be a quarry operation. The lithium is in the rock. They will be making end-use

Minutes from the September 18, 2018 Commission Meeting

8. ***FOR POSSIBLE ACTION** – Discussion, deliberation and possible decision on labor negotiations, issues and other personnel matters.

District Attorney Glennen will get in touch with POOL/PACT to see what their concerns are regarding the way the EMT's are being paid and see what we can do to conform to their standard.

9. ***FOR POSSIBLE ACTION** – Recess meeting, pursuant to NRS 241.015(2)(b)(2) for purposes of conferring with legal counsel regarding potential or current litigation.

Not needed.

10. ***FOR POSSIBLE ACTION** – Discussion, deliberation and possible decision on conference with legal counsel regarding potential or current litigation presented in closed meeting.

Not needed.

13. **PUBLIC COMMENT.** (Discussion only. Action may not be taken on any matter brought up under this agenda item. It must be placed on an agenda, at a later meeting for action.)

None.

14. ***ADJOURNMENT:**

Commissioner Keyes made the motion to adjourn.

Commissioner Winsor seconded the motion. All in favor: Motion carried.

Minutes from the October 02, 2018 Commission Meeting

October 02, 2018

10:00 a.m.

Esmeralda County Courthouse

Commission Chambers

233 Crook Ave., 2nd Floor

Goldfield, Nevada

DRAFT

1. CALL TO ORDER AND ROLL CALL.

Michelle Bates -	Chairman – Not present
Delon “De” Winsor -	Vice-Chairman
Ralph Keyes -	Commissioner
Robert Glennen -	District Attorney – In Court
LaCinda Elgan -	Clerk of the Board

2. PUBLIC COMMENT. (Discussion only. Action may not be taken on any matter brought up under this agenda item. It must be placed on an agenda, at a later meeting for action.)

Judge Danielle Johnson came up and stated that she will be at judicial college from October 15-25. Judge Klapper will step in if needed.

3. *RECESS TO ESMERALDA COUNTY BOARD OF HIGHWAY COMMISSION:

Commissioner Keyes made the motion to recess to the Esmeralda County Board of Highway Commission.

Commissioner Winsor seconded the motion. All in favor: Motion carried.

Back to Order

4. *APPROVAL OF EXPENDITURES.

Commissioner Keyes made the motion to approve the expenditures.

Commissioner Winsor seconded the motion. All in favor: Motion carried.

5. *DISCUSSION/DECISION/APPROVAL: Rejected Vendor Bills from Auditor’s Office.

October 02, 2016

TO: The Honorable County Commissioners

RE: Rejected Bill

Minutes from the October 02, 2018 Commission Meeting

Sheriff Ken Elgan Has submitted a bill from Charles Merrow, I have rejected this bill according to NRS 244.210 and 244.215, in the amount of \$115.94.

Reason for rejection: It appears that this is a personal necessity and is not a required for the position. I feel that the County Commissioners need to review this bill and make the decision.

The bill can be approved by the County Commissioners if they so order, and only by a unanimous vote of its members and certified by the clerk of the board that all voted for its passage.

Please review the bill and designate if the additional \$115.94 is approved or rejected for payment.

Sincerely,

Vera Boyer
Co. Auditor & Recorder

Sheriff Elgan stated that he considers it safety equipment. The person is a jailer. He takes inmates in and out of the yard all of the time. They are polarized, safety glasses. They come out of the uniform allowance.

Commissioner Keyes made the motion to approve bill for \$115.94.

Commissioner Winsor seconded the motion. All in favor: Motion carried.

6. ***APPROVAL OF MINUTES** from the 08/07, 08/13 and 08/21/2018 Meetings of the Esmeralda County Board of Commissioners.

Per Ed Rannells, on August 13, page 2, change to \$425,000.

Commissioner Keyes made the motion to approve with the noted change.

Commissioner Winsor seconded the motion. All in favor: Motion carried.

7. ***FINANCIAL REPORTS:**

a. Clerk	\$943.46
b. Ambulance	n/a
c. Taxes	\$44,918.82
d. Goldfield Utility	n/a
e. Silver Peak Utility	n/a
f. Auditor/Recorder	n/a
g. Justice Court	\$103,193.39
h. Sheriff's Department	\$1,960.00
i. Assessor	\$26,613.72
j. Transfer(s)	n/a

8. UPDATE OF CURRENT AND FUTURE MEETINGS AND ACTIVITIES OF:

Robert Glennen – District Attorney – in court
Ken Elgan – Sheriff – Later in the meeting
LaCinda Elgan – Clerk/Treasurer

LaCinda stated that Michelle Garcia received a scholarship for an associate professional in Human Resource. It was something that POOL/PACT highly recommended.

LaCinda also stated that we have pre-lat on October 9.

Ruth Lee – Assessor – not present
Vera Boyer – Auditor/Recorder – no report
Mike Anderson – Goldfield Utilities/Es. Co. Public Works Supervisor

Mike Anderson – Esmeralda County Public Works

9/2/18

Utilities:

9/12/18: Susan, De, Ed and Mike had a meeting with Gemfield Resources related to the draft of EIS.

9/18/18: Ralph, LaCinda, Ken, Matthew, Susan, Angela, Vera, De, Bruce and Michael all attended the meeting with Paul Miller about the discussion on the Gemfield Mine development.

9/24/18: The permanent generator was in the process of being installed.

General Maintenance:

None

To Update: None

Sherry Huffman – Administrative Assistant

Sherry came up and stated she is currently and continuously working on the CDBG grant. She said that she will be attending the Attorney General training from 10/23-25. She also is going to ADA training on service animals on 10/30.

She is also preparing for recertification for all of her drivers this weekend.

Sherry stated she is also taking online classes on grant writing.

Sylvia Rich – Public Administrator – not present

Minutes from the October 02, 2018 Commission Meeting

Robert Glennen – Public Guardian – not present
Public Lands Committee – no activity
Kenneth Elgan – DEM Coordinator – no activity
Fish Lake Valley Park Board – no activity
Esmeralda County Library Board – no activity

9. Update of Current and Future Meetings and Activities of Commissioner's Bates, Winsor and Keyes. (This is only an update. No decisions will be made.)

Commissioner Keyes stated the SLUPAC meetings on the RS2477 roads was postponed/rescheduled for 10/29/18. This is to perfect our roads in the county. He also stated the Central Nevada Regional Water Authority, which he is on, has put a petition together for review to the state engineer's order number 6446 on remand that was filed on Monday. This is a battle between the Southern Nevada Regional Water Authority and the eastern part of the state regarding them taking several basins and taking all the water to Las Vegas.

Commissioner Winsor stated he has a bid opening at 1:30 in Silver Peak today. He said the LEO meeting on the 11th was cancelled.

ELECTED OFFICIAL / DEPARTMENT SUPERVISOR / GENERAL PUBLIC ACTION ITEMS:

10. *FOR POSSIBLE ACTION: DISCUSSION/DECISION: Discussion and approval to form a committee to discuss upgrading our jail. (Commissioner De Winsor)

Commissioner Winsor stated that he was looking at trying to get a committee with people from the community involved. Commissioner Keyes stated that a feasibility study was done in 2014 on the jail and he doesn't know how we can afford a jail. Sheriff Elgan stated that the commissioners at that time put a quash on it.

Commissioner Winsor stated it would cost the taxpayers approximately \$5500.00 each to have a new jail put in. Commissioner Keyes said you can't tax people that much. Commissioner Winsor said you can because if the state comes in you have no options. They thought a person from each district could be on it, plus a commissioner and someone from the Sheriff's office. The D.A. would need to be there as well for legal matters.

Commissioner Keyes made the motion to form a committee to discuss upgrading the jail and that Commissioner Winsor will be the lead person on that committee and he will provide a list of people he would recommend for that committee by the next commission meeting. Commissioner Winsor seconded the motion. All in favor: Motion carried.

Minutes from the October 02, 2018 Commission Meeting

11. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Authorize Vera Boyer to get a county card. The limit should be set to the same as all other county cards (\$1,000). Also authorize Donna & Shawna a county card per Ruth Lee. The limit should be set to the same as all other county cards (\$1,000). (Vera Boyer)

Vera came up and stated that this is for travel and postage. She stated that it is the same for Ruth's employees.

Commissioner Keyes made the motion to authorize Vera Boyer, Donna and Shawna from Ruth's office to each have a county card in the amount up to \$1,000.00 for each card.

Commissioner Winsor seconded the motion. All in favor: Motion carried.

12. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Approve applications for CDBG to move ahead. (Sherry Huffman)

Sherry came up and stated this is just for eligibility – if we are OK for application process.

Commissioner Keyes made the motion to approve the application for CDBG to move ahead.

Commissioner Winsor seconded the motion. All in favor: Motion carried.

13. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Approval to put insert in 10/08/18 paychecks regarding Anti-Harassment Training by Pool/Pact. (Michelle Garcia)

Commissioner Keyes made the motion to approve to put an insert in the 10/08/18 paychecks regarding anti-harassment training by Pool/Pact.

Commissioner Winsor seconded the motion. All in favor: Motion carried.

14. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** FAA is planning to establish a facility to support the global positioning systems' procedures. See the enclosed items for further details/information (these shall be e-mailed to Sherry Huffman. (Kelly Yamakawa, NavAid Engineering Group C)

Commissioner Keyes stated he was contacted and we lost our manager over at Fish Lake Valley. Dick Tremane passed away last month. Commissioner Keyes was contacted by a gentleman from the FAA regarding who to contact to start this process. Bob Moss is a retired pilot and is working on this process. They would like to put a better antenna up to attract aircraft in that area.

The Commissioners asked Sherry to contact them and put it back on the agenda.

Minutes from the October 02, 2018 Commission Meeting

15. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Discussion and decision to issue a letter of county support for North Tonopah Development to proceed with setting up private well and septic operations on the property just outside the Town of Tonopah in Esmeralda County. (Michael Lach & Bruce Jabbour, North Tonopah Development)

Bruce Jabbour came up and stated they did submit the suggested letter. Commissioner Winsor asked if this is going to be part of our county's utility system, or if it was going to be private. Mr. Jabbour stated it would be private. He said it would follow all state mandates. It will be on the west side of the property.

Commissioner Keyes stated if we help get this up and going it will help the county.

Commissioner Winsor disclosed he worked on their well. He is in favor of the letter and knows Tonopah Public Utilities is causing issues.

Commissioner Keyes made the motion to support the letter after a review of the letter from the District Attorney.

Commissioner Winsor seconded the motion. All in favor: Motion carried.

The District Attorney just came into the meeting. Re-opening this item.

The District Attorney stated he did not see anything legally that would cause a problem.

Commissioner Keyes rescinded his motion.

Commissioner Keyes made the motion to issue a letter of county support for North Tonopah Development to proceed with setting up private well and septic operations on the property just outside the Town of Tonopah in Esmeralda County.

Commissioner Winsor seconded the motion. All in favor: Motion carried.

COMMISSIONER'S ACTION ITEMS

18. ***FOR POSSIBLE ACTION** - Closure of meeting, pursuant to NRS 288.220 for purposes of conducting labor negotiations, conferring regarding labor negotiations, issues and other personnel matters.

Not needed.

19. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION** – Discussion, deliberation, and possible decision on labor negotiations, issues and other personnel matters presented in closed meeting.

Not needed.

20. **PUBLIC COMMENT.** (Discussion only. Action may not be taken on any matter brought up under this agenda item. It must be placed on an agenda, at a later meeting for action.)

Bruce Jabbour came up to comment on the upgrading of the jail. He wanted to volunteer to be on the committee to represent district 2.

Minutes from the October 02, 2018 Commission Meeting

20. **CORRESPONDENCE:**

None

16. ***FOR POSSIBLE ACTION** – Recess of meeting, pursuant to NRS 241.015(2)(b)(2) for purposes of conferring with legal counsel regarding potential or current litigation.

Commissioner Keyes made the motion to recess the meeting.

Commissioner Winsor seconded the motion. All in favor: Motion carried.

Back to Order.

17. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION** - Discussion, deliberation, and possible decision on conference with legal counsel regarding potential or current litigation presented in closed meeting.

Commissioner Winsor stated that they spoke with the attorneys regarding upcoming litigation.

21. ***ADJOURNMENT:**

Commissioner Keyes made the motion to adjourn.

Commissioner Winsor seconded the motion. All in favor: Motion carried.

AGENDA REQUEST FORM

1. Circle or check one:

Commission Highway

2. Discussion/Decision:

3. Action: Yes ☒ No ☐ (You must check one)

4. Fiscal Impact: Yes ☐ No ☒ (If yes, you must submit explanation with back up information)

5. Funding source:

NA

6. Business Impact Statement: Yes ☐ No ☐ (Contact District Attorney for guidance)

NA

7. Related Department notified: Yes ☐ No ☐

NA

8. Will be presented by:

Lynn Scott, Ronald Payne, Timothy Hipp

9. Date submitted:

Meeting date:

1/7/19

Agenda Request form and Information must be supplied to the Clerk/Treasurer's office eight working days prior to the meeting.

If backup is not provided, item may be tabled or dismissed.

Backup provided ☒ Backup not provided ☐

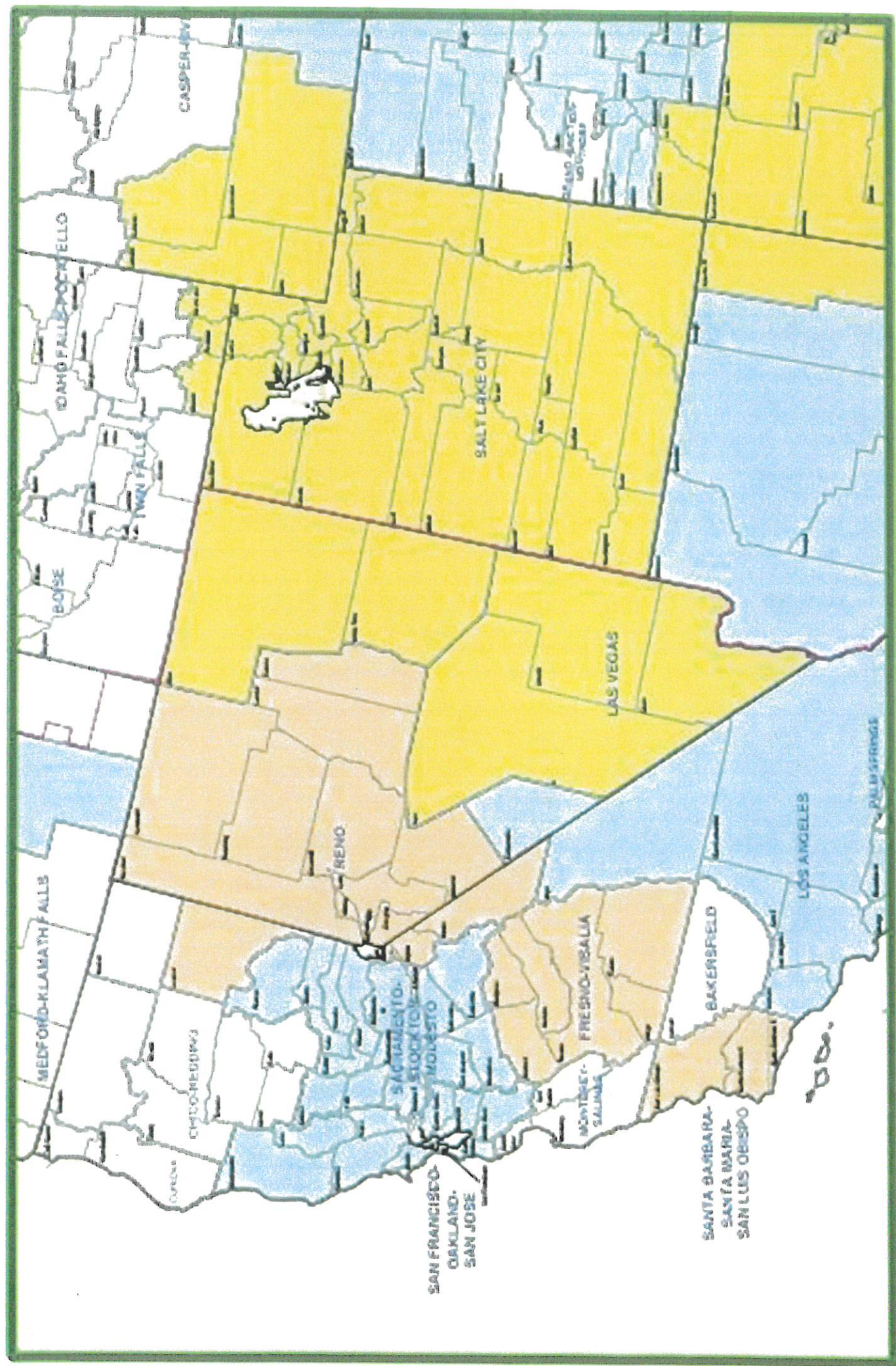
10. Backup information received by:

11. Signed:

Person submitting agenda request

Tim Hipp

Requesting permission to submit a market modification for Esmeralda County. This request to the Federal Communication Commission would allow Esmeralda County to change it's "local stations" from current Los Angeles to Las Vegas. See Map.



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Television Broadcast Stations on Satellite

1. Can I receive television broadcast stations on my satellite system?

Yes. There are different ways satellite subscribers can get television broadcast channels. Your ability to receive a particular station depends on several factors that are governed by legislation enacted by Congress and implemented by the Federal Communications Commission. Satellite companies can provide local broadcast TV signals to subscribers who reside in the local TV station's market, commonly referred to as "local-into-local" service. In general, satellite companies can provide you with network broadcast stations that are not in your local market only under three circumstances: 1) the satellite carrier does not offer "local-into-local" service in your market and you are not "served" over-the-air by a local station affiliated with that network; 2) the satellite carrier does offer "local-into-local," you subscribe to the package, and the out-of-market station is considered "significantly viewed;" or 3) the satellite carrier does offer "local-into-local," you subscribe to the package, and the FCC adds the out-of-market station to your local market through the "market modification" process established by recent legislation.

2. How can I get my local television broadcast stations if I am a satellite subscriber?

"Local" TV broadcast stations are stations that broadcast in your local area. You have two options for receiving them as a satellite subscriber:

a) Subscribe to the local television stations through your satellite company.

- Most satellite television subscribers can get local broadcast television signals delivered by satellite ("local-into-local" service). As of December 2015, DISH Network provides local-into-local service in all 210 television markets and DIRECTV offers this service in 198 markets.
- Satellite carriers may charge for this service.
- A satellite company has the option of providing local-into-local service, but is not required to do so.
- "Local-into-local" means the stations located within a particular "designated market area" (DMA) are retransmitted by satellite to subscribers in that same DMA. Your county is included in a particular DMA, and that means the satellite company can offer you the stations located in the same DMA as your county as part of your local-into-local service.
- DMAs are determined by the Nielsen Company and are based primarily on its measurement of local viewing patterns. Neither the FCC nor the satellite company plays any part in determining which counties are included in particular DMAs.

- Generally, a satellite company that chooses to offer local-into-local service is required to provide subscribers with all the local broadcast TV signals that are assigned to that DMA, as long as they ask to be carried on the satellite system and are otherwise eligible (called the “carry-one, carry-all” rule). However, a satellite company is not required to carry more than one local station within the DMA that is affiliated with a particular TV network in the same state.
- You can ask your satellite company if local-into-local service is available for you.

b) Receive local TV stations for free over-the-air with an antenna.

- You can install a TV broadcast antenna in conjunction with your satellite antenna to receive local broadcast TV stations over-the-air.
- This option is available whether or not your satellite service carries local broadcast stations in your area but does depend on whether your over-the-air antenna can receive broadcast stations at your geographic location.
- Television stations received over-the-air using an indoor or outdoor TV antenna are not part of the satellite service and there is no charge for receiving them.

3. Can the FCC add a station to my local market?

Yes. The FCC can add stations to your local TV market through the FCC’s recently established “market modification” process if the station can show that it provides local service to your community and your satellite TV company has the technical ability to offer the station to your community.

- This process requires the station, your satellite TV company, or your county government to file a request with the FCC. Although subscribers cannot ask the FCC directly for market changes, you can contact one or more of these parties to request they file the satellite market modification petition.
- The FCC determines whether to grant a market modification based on five statutory factors, which allow petitioners to demonstrate they provide local service to the community. The community may be considered to be part of more than one television market if it furthers the public interest.
- If you do not receive stations from your home state (“in-state” stations), ask an in-state station, your satellite TV company or your county government, if this process can be used to add an in-state station to your local-into-local service.
- For more information, including the criteria that the FCC considers in evaluating a request from the station, your satellite TV company, or your county government, see the [FCC’s guide concerning the STELAR \[STELA Reauthorization Act of 2014\] market modification process](https://transition.fcc.gov/bureaus/mb/policy/STELAR-Market-Modification.pdf) (<https://transition.fcc.gov/bureaus/mb/policy/STELAR-Market-Modification.pdf>).

4. I am not receiving “in-state” broadcast TV stations from my local satellite TV service. Can the market modification process be used to help address this problem?

Yes. If you do not receive your home state’s (“in-state”) stations, it may be possible under certain circumstances for an in-state station, your satellite TV company, or your county government to use the market modification process (discussed above) to add an “in-state” station to your local TV market.

- Although consumers cannot petition the FCC directly for market changes, you can contact the in-state station you want to receive, your satellite TV company, and/or your county government and request they file a satellite market modification petition with the FCC.
- The STELAR recognizes that some satellite subscribers are not able to access their home state's news, politics, sports, emergency information and other TV programming. This happens because of the way TV stations are defined as "local" for purposes of satellite carriage. In some cases, it means you may be included in a local TV market (defined by a DMA) that is served exclusively, or almost exclusively, by TV stations coming from a neighboring state.

5. Can I get television broadcast stations from outside of my television market (also known as "distant stations") from my satellite company?

A "distant station" is one that originates outside of a satellite subscriber's local television market, which is the DMA. Satellite companies are permitted to offer distant stations only to subscribers who meet certain eligibility requirements (described below).

There are five circumstances in which satellite subscribers are permitted to receive a distant TV station via satellite:

(a) **"Significantly viewed."** If you receive local-into-local service you may be eligible, under certain circumstances, to receive individual stations from markets outside your DMA if they are deemed "significantly viewed" in your community. These are most likely stations broadcasting nearby but not considered in the same DMA where you live.

- It is up to the satellite carrier whether or not to offer significantly viewed stations and you must be a local-into-local service subscriber to be eligible to receive them.
- The determination of whether or not a station is significantly viewed in a community depends on several statutory factors. The FCC posts a list of the stations that are eligible for carriage as significantly viewed signals – and the communities in which they are significantly viewed – at [www.fcc.gov/mb/\(/mb\)](http://www.fcc.gov/mb/(/mb)). Your satellite carrier can tell you whether a station is on the significantly viewed list and if it intends to offer the station.

(b) **"Unserved" household.** You may be eligible to receive distant stations if your satellite carrier does not offer local-into-local service in your market and if you are "unserved" by local stations over-the-air. The satellite company determines whether to provide distant stations to eligible subscribers and which distant stations will be offered. Satellite companies also may charge an additional fee for these distant stations.

The term "unserved" means you cannot receive, through the use of an antenna, an over-the-air signal of required intensity from a local network affiliate. If the local network affiliate grants you a waiver in order for you to get the distant station, then you are also considered "unserved." As an unserved household, you would be eligible to receive no more than two distant network affiliated stations per day for each TV network. For example, if the household is "unserved," the household could receive no more than two ABC stations, no more than two NBC stations, etc. The signal intensity standard is an FCC-defined measurement of the strength of a television station's signal received at a specific location. If you qualify to subscribe to distant stations, you may only receive stations

located in your same time zone or in a later time zone, not in an earlier time zone. In other words, you cannot receive programming aired at an earlier time than it would be telecast by local stations in your time zone.

(c) **RV or truck.** If your satellite dish antenna is **permanently** attached to a recreational vehicle or a commercial truck, you may be eligible to receive distant stations. The "recreational vehicle" must meet the definition contained in regulations issued by the Department of Housing and Urban Development (24 CFR §32828). The "commercial truck" must meet the definition contained in regulations issued by the Department of Transportation (49 CFR §383.5). The owner of the recreational vehicle or the commercial truck must produce documentation that the vehicle meets the definitional criteria and include a signed declaration that the satellite dish is **permanently** attached to the vehicle or to the truck. The law specifies that the terms "recreational vehicle" and "commercial truck" do not include any fixed dwelling, whether a mobile home or otherwise.

(d) **C-band.** Generally, C-band service uses large satellite dish antennas (e.g., seven feet in diameter). If you subscribe to C-band service, you can continue to receive distant network television signals if the signals were being received on October 31, 1999 or if the signals were terminated before October 31, 1999.

(e) **Special provisions.** In Mississippi, New Hampshire, and Vermont, additional television stations outside your DMA may be offered by your satellite carrier. If you are in these states, ask your satellite carrier if you can get these distant stations.

6. How do I know if my household is "unserved" with respect to over-the-air television broadcast stations?

All full power television broadcast stations are required to transmit their signals in digital format. The FCC has created a computer model for satellite companies and television stations to use to predict whether a household is served or unserved with respect to digital signals. The satellite company, distributor or retailer from whom you obtained your satellite system and programming should be able to tell whether the model predicts that you are "served" or "unserved." The FCC does not provide these predictions.

If your household is predicted "served," you are not eligible for distant stations unless the station predicted to serve you grants you a *waiver*. You can ask your satellite company to request a waiver from the television station on your behalf. The station has 30 days from the date it receives the request to either grant or deny it. If the station does not respond within 30 days, the waiver is considered granted and the satellite company can provide the distant signal. However, the satellite company is not required to provide distant signals and may decline to do so or may choose to wait longer than 30 days before doing so.

If the station denies the waiver, you can request a *signal strength test* be performed at your home to determine whether the TV station's signal meets the FCC's signal intensity standard for digital signals. Although the satellite carrier is not required to act on your request, if the carrier does accept it, the test should be performed within 30 days after the date it was submitted. The test must be performed by an independent tester selected by the satellite carrier and the TV station. If the satellite carrier requests the test and the station's signal exceeds the signal intensity standard, the satellite carrier pays for the test. If the station's signal does not exceed the signal intensity standard, the station pays for the test. If the satellite carrier does not act on your request and you reside in a DMA where the carrier does not offer local-into-local service, you can arrange for the test yourself. You will have to pay for the test no matter what it shows and the price may include the cost for the tester to come to your home. The test must still be conducted by an independent tester that both the network station and the satellite carrier have approved. If a satellite company and the TV station are unable to agree on someone to

conduct the test, the FCC has designated the American Radio Relay League ("ARRL") as the independent and neutral entity to approve the proposed tester.

7. If I am currently receiving distant stations via satellite, can I continue to do so?

Yes. If you were receiving distant stations as of February 27, 2010, and your satellite company is not offering local-into-local service in your market, you can still receive distant stations. However, if in the future your satellite company begins local-into-local service in your market, you will have to subscribe to local service in order to continue to receive distant stations.

If you were receiving distant stations on or before February 26, 2010, and your satellite company is offering local-into-local service, you can continue to receive the distant stations and you can choose whether to receive the local stations in addition to the distant stations, but you do not have to subscribe to local-into-local service.

A small group of subscribers who received distant stations before 1999 must choose between continuing to receive distant stations or receiving local-into-local service when local service is offered. Your satellite carrier should be able to tell if you are in this category of subscriber.

8. Will I need additional equipment to receive high definition signals?

You may need a new satellite dish, an additional (second) satellite dish and/or a new receiver box to receive HD signals. Satellite carriers may require a second satellite dish antenna for high definition signals as long as all the local HD signals are received on one dish. If you currently have two dishes, your satellite carrier may notify you that you will need to change equipment. If you have questions about the satellite equipment you need to receive local, distant, or high definition stations, ask your satellite carrier.

9. Whom should I contact for additional information?

If you have questions about the availability of local-into-local service in your specific area, your eligibility to receive distant TV stations, the procedure for obtaining a waiver, or other specific information about your satellite service, you should contact your satellite TV company or distributor.

[List of Related Documents \(//general/satellite-television\)](https://www.fcc.gov/general/satellite-television)

If you have questions about this Information Sheet, please contact the FCC Call Center, toll free, at 1-888-CALL-FCC (1-888-225-5322).

Bureau/Office:

[Media \(https://www.fcc.gov/media\)](https://www.fcc.gov/media)

Updated:

Friday, February 19, 2016

STELAR¹ MARKET MODIFICATION

Overview of Process for Requesting FCC to Modify a Broadcast Station's Local Television Market for Cable or Satellite Carriage Purposes²

Note: Effective February 25, 2016, the satellite market modification rules are now in effect and the Commission is now accepting satellite market modifications petitions. In addition, prospective petitioners may send "pre-filing coordination" letter requests to satellite operators before filing satellite market modifications petitions, asking whether the prospective petition is technically and economically feasible for the satellite operator.

BACKGROUND

The Satellite Television Extension and Localism Act Reauthorization Act of 2014 (STELAR) added satellite TV carriage to the Commission's market modification authority, which previously applied only to cable. The legislation recognizes that some satellite TV subscribers are not able to access their home state's news, politics, sports, emergency information, and other television programming. This happens because of the way TV stations are defined as "local" for purposes of satellite carriage. In some cases, it means subscribers may be included in a local television market that is served exclusively, or almost exclusively, by television stations coming from a neighboring state. The STELAR and the Commission's new satellite market modification rules help address this problem by adding flexibility to the current definition of a local television market for satellite carriage. The Commission's market modification rules provide a process for commercial broadcast TV stations, and the cable and now satellite operators that carry them, to request changes to the boundaries of their local television markets to include a new community located in a neighboring local television market. The rules enable a broadcast TV station to be carried on a cable system or satellite operator in such new community if the station can demonstrate a local relationship to such new community.

What Is a Local Television Market?

¹ The Satellite Television Extension and Localism Act Reauthorization Act of 2014 (STELAR), § 102, Pub. L. No. 113-200, 128 Stat. 2059, 2060-62 (2014). The STELAR was enacted on December 4, 2014 (H. R. 5728, 113th Cong.).

² Section 102(c) of the STELAR requires the Commission to "make information available to consumers on its website that explains the market modification process." The information must include: "(1) who may petition to include additional communities within, or exclude communities from, a—(A) local market (as defined in section 122(j) of title 17, United States Code); or (B) television market (as determined under section 614(h)(1)(C) of the Communications Act of 1934 (47 U.S.C. 534(h)(1)(C))); and (2) the factors that the Commission takes into account when responding to a petition described in paragraph (1)." This document is intended to implement Section 102(c) of the STELAR and is for informational purposes only. This document is intended to help consumers, county governments and industry to understand the market modification process. This document is not intended to replace the Commission's rules and final authority to grant or deny market modification petitions and is based solely on the Commission's rules. The Commission may revise this document without public notice to clarify or update its contents.

Cable systems and satellite operators carry broadcast TV stations that are considered “local” based on local television market assignments. A station’s local television market assignment is initially defined by the Nielsen Company’s Designated Market Area (DMA) in which the station is located. Nielsen’s DMAs describe each local television market in terms of a group of counties based on measured viewing patterns. The United States has 210 DMAs.

What Is Market Modification? (What Does It Mean To Modify a Local Television Market?)

Market Modification is a process established by Congress that allows the FCC to modify the boundaries of a particular commercial broadcast TV station’s local television market assignment for cable or satellite carriage purposes. The Commission’s market modification process recognizes that local television market assignments based on Nielsen’s DMAs are not always providing consumers with the broadcast TV stations of the most local interest to them. Specifically, the process allows the FCC to add a community to a particular commercial broadcast TV station’s local television market, if the station can show it provides local service to such community, in order to allow the station to be carried by a cable system or satellite operator in such community. The process also allows the FCC to delete a community from a particular commercial broadcast TV station’s local television market, if the petitioner can show the station does not provide local service to such community, in order to allow a cable system or satellite operator to stop carrying the station in such community. Through this process, the Commission considers whether the change would better serve the interests of the local community. The change may also include a particular community in more than one television market if it furthers the public interest.

The Commission determines whether to grant a market modification based on consideration of five statutory factors (discussed below) that allow petitioners to demonstrate that a particular station provides or does not provide local service to a specific community. Significantly, in the STELAR, Congress added a factor requiring consideration of access to television stations that are located in the same state as the community considered for modification. The STELAR, however, does not allow the Commission to grant a market modification if it is not technically and economically feasible (discussed below) for a satellite operator to carry the station in the new community.

Note: A market modification applies to a specific broadcast TV station’s local television market and does not change Nielsen’s DMAs for purposes of defining other stations’ local market assignments.

Who Can File a Market Modification Petition?

- Cable market modifications: Commercial broadcast TV stations and cable systems; and
- Satellite market modifications: Commercial broadcast TV stations, satellite operators, and county governments.

Note: Individuals cannot file petitions.

What Geographic Areas Are Subject to Market Modification?

Market modifications are generally done on a “community” basis. They apply to individual broadcast TV stations in a specific community and only to the particular cable system or satellite operator named in the petition.

How Is “Community” Defined?

- For cable market modifications, a community is defined as a separate and distinct community or municipal entity, *e.g.*, city, town, or unincorporated area; and
- For satellite market modifications, a community is defined as a county.

Can a Single Petition Address More than One Cable and/or Satellite Community?

Yes, a single petition can request the FCC to add or delete more than one community to or from a station’s local market, as long as the petition provides the required evidence showing the station’s local relationship to each community included in the petition.

Note: DIRECTV and DISH Network are the country’s two satellite TV companies. One petition can request the FCC to add or delete a satellite community for purposes of carriage of the station in the community by both companies. However, because of factors affecting each satellite operator, particularly factors of technical and economic feasibility, the Commission could grant the modification as it applies to both operators, deny the modification as to both operators, or grant the modification as to one operator and deny it as to the other.

How Do You Demonstrate the Need for a Market Modification?

A petition must provide evidence in accordance with five statutory factors, which are parallel for satellite and cable.³ They are:

1. Whether the station or other stations located in the same area have been historically carried on: (a) the cable system or systems within that community; and (b) the satellite carrier or carriers serving that community;
2. Whether the television station provides coverage or other local service to that community;
3. Whether modifying the local market of the television station would promote consumers’ access to television broadcast station signals that originate in their state of residence;
4. Whether any other television station that is eligible to be carried by a satellite carrier in the community in fulfillment of the requirements provides news coverage of issues of concern to the community or provides carriage or coverage of sporting and other events

³ These factors are set forth in Sections 338(l)(2)(B) and 614(h)(1)(C) of the Communications Act of 1934, as amended (the “Act”); 47 U.S.C. §§ 338(l)(2)(B)(i)-(v); 47 U.S.C. § 534(h)(1)(C)(ii)(I)-(V).

of interest to the community; and

5. Evidence of viewing patterns in households that subscribe and do not subscribe to the services offered by multichannel video programming distributors within the areas served by the multichannel video programming distributors in the community.

Do You Have to Satisfy Each of the Five Factors?

No. The five statutory factors are not intended to be exclusive, but demonstrate that a community is part of a particular station's market. No one factor has more importance than any other because each factor is valuable in assessing whether a particular community should be included or excluded from a station's local market. The importance of particular factors will vary depending on the circumstances of the case. The Commission may also consider other relevant information.

What Specific Evidence Must Be Provided In a Market Modification Petition?

A market modification petition must include specific evidence describing the station's relationship to the community at issue. This is the minimum information necessary for the Commission to make a determination. A petition must include:

1. A map or maps illustrating the relevant community locations and geographic features, station transmitter sites, cable system headend or satellite carrier local receive facility locations, terrain features that would affect station reception, mileage between the community and the television station transmitter site, transportation routes, and any other evidence contributing to the scope of the market;
2. Noise-limited service contour maps⁴ delineating the station's technical service area and showing the location of the cable system headends or satellite carrier local receive facilities and communities in relation to the service areas;⁵
3. Available data on shopping and labor patterns in the local market;
4. Television station programming information derived from station logs or the local edition of the television guide;
5. Cable system or satellite carrier channel line-up cards or other exhibits establishing historic carriage, such as television guide listings;

⁴ We note that Class A and low power television (LPTV) stations (which provide locally-oriented television service in small communities and must not cause interference to existing or future full-power television stations) are not entitled to mandatory satellite carriage, *see* 47 U.S.C. § 338(a)(3). Such stations may be entitled to mandatory cable carriage, but only in limited circumstances. *See* 47 U.S.C. § 534(h)(2)(A)-(F); 47 C.F.R. § 76.55(d)(1)-(6). Class A and LPTV stations that are entitled to mandatory cable carriage and that file a cable market modification petition must provide protected contour maps.

⁵ Note: Service area maps using Longley-Rice (version 1.2.2) propagation curves may also be included to support a technical service exhibit and we strongly encourage their inclusion in market modification petitions.

6. Published audience data for the relevant station showing its average all day audience (*i.e.*, the reported audience averaged over Sunday-Saturday, 7 a.m.-1 a.m., or an equivalent time period) for both multichannel video programming distributor (MVPD) and non-MVPD households or other specific audience information, such as station advertising and sales data or viewer contribution records; and
7. If applicable, a statement that the station is licensed to a community within the same state as the relevant community.

Other evidence based on the statutory factors can also be included to strengthen your case. For example, if you want to show that the in-state factor (the third statutory factor) should be given greater weight, evidence could be offered that the television station provides programming specifically related to the subscribers' state of residence, as well as information showing there are no other in-state stations carried to subscribers in the community where the market modification is sought.

Why Would a Market Modification Petition Be Denied?

There are three common reasons why a market modification petition would be denied.

- First, the petition might not contain all of the specific evidence required. A petition can be re-filed once it contains all the proper information.
- Second, after considering all of the evidence in the record, the Commission might decide that the request is not consistent with the statutory factors discussed above and that modification of the broadcast TV station's local market is not in the public interest.
- Third, in the case of satellite market modifications only, the Commission might determine the request is not technically and economically feasible for the satellite operator.

What Does "Not Technically and Economically Feasible" Mean?

The Act does not require a satellite operator to carry a station because of a market modification request if it is not technically and economically feasible for the carrier to accomplish the carriage by means of its satellites in operation at the time of the determination. For example, if the satellite operator currently carries the station on a satellite that does not and cannot cover the new community, then it would not be technically and economically feasible for the satellite operator to provide the station to the new community. Satellite coverage infeasibility can be demonstrated through detailed certifications.

What Can Be Done Before Undertaking the Effort and Expense of Filing a Petition?

We encourage prospective broadcast station and county government petitioners to contact the relevant satellite operator(s) before filing a satellite market modification petition to determine if the operator foresees any reason why the modification cannot be granted. This voluntary process is referred to as "pre-filing coordination." We also encourage prospective county government petitioners to ask for the cooperation of the station they want carried via satellite before filing a satellite market modification petition. Station carriage relies in part on business

decisions involving broadcasters and satellite operators, and without the willing participation of the affected broadcaster, modifying the market of a particular television station in and of itself would not result in consumer access to that station.

Is There a Pre-filing Coordination Process?

Yes. The Commission has established a process that allows a broadcaster or county government to obtain a certification from a satellite operator about whether or not (and to what extent) carriage is technically and economically feasible for the operator before the petitioner takes the time and expense of preparing and filing a market modification request.

If a written request is filed with the satellite operator, the satellite operator must respond by giving the petitioner a feasibility certification. The satellite operator should generally respond within 45 days, but is allowed up to 90 days if it provides a reason for the delay. A satellite operator must also file a copy of the correspondence and feasibility certification with the FCC in MB Docket No. 15-71.

The satellite operator's feasibility certification is not the final word on whether a market modification can be accomplished. If a petitioner has concerns with – or disagrees with a feasibility certification – the petitioner can challenge the satellite operator's certification. This can be done by filing a petition for special relief on the specific issue of technical or economic infeasibility or by filing a market modification petition.

Where Do I Send My Pre-filing Coordination Letter Request? Who is each Satellite Operators' Contact Person?

The two satellite operators – DIRECTV and DISH Network – have provided the following contact information for receipt of pre-filing coordination letter requests:

- The DIRECTV contact is:
DIRECTV, LLC
Local-Into-Local - Market Modification
2260 East Imperial Highway
El Segundo, California 90245
Attention: Vice President, Content & Programming
Phone: (310) 964-4892
Email: locals-business@directv.com
- The DISH Network contact is:
Alison A. Minea
Director & Senior Counsel, Regulatory Affairs
DISH Network L.L.C.
1110 Vermont Ave NW
Suite 750

Washington, DC 20005

Phone: (202) 463-3709

Email: Alison.Minea@dish.com

Obtaining a proof of delivery receipt is recommended. We also request that a courtesy copy of your pre-filing coordination letter request be sent via email to Evan Baranoff, Evan.Baranoff@fcc.gov, of the Media Bureau, Policy Division.

How Long Does a Market Modification Take?

- The Commission has 120 days to review and either grant or deny a market modification petition.
- A television station that becomes eligible for cable or satellite carriage as a result of market modification can elect carriage under either the mandatory carriage rules or retransmission consent rules within 30 days after the Commission's market modification order.
- If the station elects mandatory carriage, a satellite carrier must begin carriage within 90 days after receiving the station's request for carriage.

How Will a Station's Choice of Retransmission Consent Over Mandatory Carriage Affect Carriage of the Station?

A station that elects mandatory carriage is generally entitled to carriage. If a station elects retransmission consent, then the station and the cable system or satellite operator must negotiate the terms of a retransmission consent agreement, which may include monetary or other compensation for carriage of the broadcast signal. If the station and cable system or satellite operator do not reach an agreement, then the station cannot be carried.

How To File a Market Modification Petition?

1. The petition must be filed in accordance with the procedures for filing Special Relief petitions in Section 76.7 of the rules; see 47 C.F.R. §§ 76.7, 76.59(b).
2. The petition must be filed electronically using the Commission's Electronic Comment Filing System (ECFS): <http://fjallfoss.fcc.gov/ecfs2/>.⁶ The petition must be filed via ECFS in MB Docket No. 12-1. This docket serves as a holding area for Special Relief petitions until they have been reviewed and placed on public notice by the Media Bureau.

⁶ See Media Bureau Announces Commencement of Mandatory Electronic Filing for Cable Special Relief Petitions and Cable Show Cause Petitions Via the Electronic Comment Filing System, Public Notice, 26 FCC Rcd 17150 (MB 2011); https://apps.fcc.gov/edocs_public/attachmatch/DA-11-2095A1.doc. Petitioners should be careful to record the confirmation number generated by ECFS at the time the petition is filed, in case issues arise concerning the status of the filing. If you do not receive a confirmation number, the petition was not successfully filed and you should contact the ECFS customer support staff at 202-418-0193 or ecfshelp@fcc.gov for assistance.

3. Upon review and acceptance of the petition, the Media Bureau will assign a new docket number and issue a public notice starting the comment cycle.
 - a. Unless otherwise specified by the Commission, comments and oppositions to petitions are due within 20 days after the date of public notice. 47 C.F.R. § 76.7(b)(1).
 - b. Unless otherwise specified by the Commission, replies to comments/oppositions are due within 10 days after submission of such comment or opposition. 47 C.F.R. § 76.7(c)(3).
4. A fee is generally required for the filing of Special Relief petitions; see 47 C.F.R. § 1.1104(9)(g); however, county governments are exempt from this fee; see 47 C.F.R. § 1.1116(f). As of December 2015, the filing fee is \$1,465.00, but this fee is subject to change. Payments may be made online using the FCC Fee Filer Online System or via FCC Form 159. Payment verification of the filing fee must be included with the petition. (This will be either an FCC Form 159 or the confirmation documents from Fee Filer.)
5. A copy of the petition must be served on all interested parties. 47 C.F.R. § 76.7(a)(3). This means the petitioner must send a copy of the petition (by mail or email) to the parties. Proof of service must be provided with the petition.
 - a. For cable market modifications, at a minimum, the petition must be served on the affected broadcast station and cable system, other broadcast stations carried on the cable system, and any franchising authorities that regulate the cable system.
 - b. For satellite market modifications, at a minimum, the petition must be served on the affected broadcast station and satellite operator(s), other broadcast stations carried by the satellite operator in the community at issue, and the relevant county government for the community at issue.

Web Link to Decision Document

The Report and Order (FCC 15-111)⁷ adopting the new rules is available on the Commission's website at https://apps.fcc.gov/edocs_public/attachmatch/FCC-15-111A1.pdf.

For More Information

For additional information on this topic, please contact Evan Baranoff, Evan.Baranoff@fcc.gov, of the Media Bureau, Policy Division, (202) 418-7142.

⁷ *Amendment to the Commission's Rules Concerning Market Modification; Implementation of Section 102 of the STELA Reauthorization Act of 2014*; MB Docket No. 15-71, Report and Order, 30 FCC Rcd 10406 (2015).

AGENDA REQUEST FORM

1. Circle One: **XXX** Commission Highway RTC Liquor
2. Action: Yes [**x**] Discussion/Decision-Action: No [] Discussion Only

Agenda items must be described with clear and complete detail.

Change County Ordinance 124 to add Marijuana Cultivation, Growing, and Selling into the County Ordinance.

3. **Special Meetings (2nd meeting of the month):** Explanation of why time sensitive:

4. Fiscal Impact: Yes [] No [**x**] (If yes, you must submit an explanation with back up.)

5. Funding Source: _____

6. Business Impact Statement: Yes [] No [**x**] (Contact District Attorney)

7. Will be presented by: Sergeant Matthew Kirkland

8. Date Submitted: 12/6/18
January 1, 2019

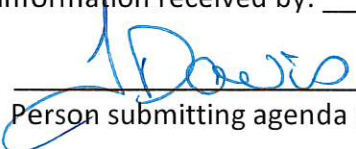
- Meeting Date: 11/7/19
December 6, 2018

Agenda Request form and information must be supplied to the Clerk/Treasurer's Office eight working days prior to the meeting.

If backup is not provided item may be tabled or dismissed.

Backup provided [**xx**] Backup not provided []

9. Backup information received by: _____

10. Signed: 

Person submitting agenda request

S.C.

ORDINANCE NO. 124

SUMMARY: Makes it unlawful to operate houses of prostitution in any area of Esmeralda County without a permit providing for the licensing and registration of such houses; and providing penalty for the violation thereof.

TITLE

AN ORDINANCE OF ESMERALDA COUNTY, NEVADA, REGULATING THE OPERATION AND LOCATION OF HOUSES OF PROSTITUTION WITHIN ESMERALDA COUNTY: PROVIDING FOR THE ISSUANCE OF PERMITS AND LICENSES THEREFOR AND THE COLLECTION OF FEES: PROVIDING FOR HEALTH AND SAFETY TEST AND INSPECTIONS AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

The Board of County Commissioners of Esmeralda County do ordain:

SECTION 1. DEFINITION

Houses of prostitution are hereby defined to be any houses, buildings, trailers and mobile homes, (with or without wheels), vehicle or other structure or property wherein or whereon acts of prostitution are performed or offered to be performed.

SECTION 2. UNLAWFUL TO OPERATE WITHOUT PERMIT DESIGNATING AREA AND LICENSE.

It shall be unlawful for any person, owner, or agent to open, maintain, operate or keep, or let or rent to any other person to open, maintain, operate or keep any houses of ill-fame or other buildings, structures, or places used or resorted to for the purposes of prostitution at any place within Esmeralda County, Nevada, unless a permit has been granted by the Board of County Commissioners designating the area where it may be operated, and a license issued as in this Ordinance provided.

SECTION 3. PERMIT - ISSUED BY BOARD OF COUNTY COMMISSIONERS.

(A) The Board of County Commissioners of Esmeralda County, State of Nevada, is hereby made and constituted the full and sole authority to grant the permit to operate a house of ill-fame, and the sole authority to make, alter and rescind all necessary regulations setting forth the terms and conditions under which such permits may be applied for, the terms and conditions under which such permits shall be granted, transferred, revoked or cancelled, where such houses of ill-fame shall be located within said County, and any and all other regulations necessary regarding the conditions under which said permitted premises may be allowed to operate; Provided, however:

The permit must refer to premises in an uninhabited area which must be at least five miles from an inhabited area including but not limited to unincorporated cities, towns and villages, mobile home parks, trailer parks and places where persons normally dwell.

(B) The Board of County Commissioners of Esmeralda County, State of Nevada, are given the sole authority to cancel and rescind any and all such permits for cause, after hearing, and upon reasonable notice to the permittee, and without refund of any monies previously thereto paid by or for said permittee.

(C) Application for permits:

1. Shall be in such form as the Board shall prescribe, and when presented shall be accompanied by a sum of money equal in amount to the fee hereinafter prescribed for one quarter's license fee, said money to be used if necessary as and for the cost of investigation of said application for a permit, and said monies shall not be returned if said permit and license, or either of them be denied. PROVIDED, however, that if said permit and license both be granted, then said amount to be credited to said license fee hereinafter required.
2. Shall be made to the Sheriff of Esmeralda County, State of Nevada, and by him transmitted to the said Board of

County Commissioners.

3. Shall not be received nor considered if made by any corporation.
4. Shall set forth the true names and true addresses of the applicants, and shall include all persons having any interest in the business.
5. Shall set forth the true name and address of the person who is to manage or otherwise be in charge of the premises.
6. Specify the location of the premises for which the permit is sought.
7. Be suppliments by such additional information or documents as the Board of County Commissioners shall request at any time, it being the duty of the applicant to supply all such matters.
8. Be signed and verified by the applicants.
9. Contain a statement that if such application is approved and a permit issued, it will be accepted by the applicant subject to, and applicant will be bound by, the terms, conditions and provisions of this Ordinance, and such other rules and regulations as may at any time hereafter be made, enacted or adopted by the Board of County Commissioners and shall include a consent to and an acknowledgment of the power and authority of the Sheriff of Esmeralda County, or any authorized representative of the said Boards to enter the premises to which the permit applies, at any time during the day or night, for the purpose of examining the premises, to determine if the terms, conditions and provisions of this Ordinance and of any regulations of the Board of County Commissioners made pursuant to this Ordinance have been, and are being complied with; and shall include an agreement to furnish to the said Board, their authorized agent, the Sheriff of Esmeralda County, any information, assistance, or cooperation requested by them at any and all reasonable times.

10.

Shall contain a statement that applicant shall have each prostitute examined as follows:

(A) For Syphilis.

A blood test (serology) shall be performed on each prostitute at least once a month and the results forwarded each month to the Board of County Commissioners of Esmeralda County.

(B) For Gonorrhea.

Each prostitute shall be examined once a week for gonorrhea which examination will include a pelvic examination with an Endocervical Culture taken and the culture medium processed at a licensed approved clinical laboratory. Approved culture media include the following; Thayer Martin media, Transgrow media, and Clinicult media.

(C) A statement that applicant will pay any and all costs of each and every examination and any and all bills for treatment rendered to any prostitute and an understanding that the County of Esmeralda is not in any way responsible for the costs of such examination or treatment given any prostitute.

SECTION 4. INVESTIGATION.

The Sheriff of Esmeralda County, at the direction of the Board of County Commissioners, shall conduct any investigations the Board determines to be necessary.

SECTION 5. LICENSE.

(A) Any house of prostitution in Esmeralda County in operation on the date of passage of this Ordinance shall have one (1) month thereafter to comply with the terms of this Ordinance or shall be subject to being penalized as provided in the penalty clause of this Ordinance.

(B) An application for said license shall be made to the Sheriff of Esmeralda County, State of Nevada; and may be made concurrent with the making of the application for a permit; and both may be acted upon

by the Board of County Commissioners at the time it considers the application.

SECTION 6. LICENSE FEE.

- (A) The fee for such license shall be \$ 500.00, per quarter, payable quarterly in advance.
- (B) No refunds of any fees paid shall be made.
- (C) All fees paid hereunder shall be deposited in the County General Fund.

SECTION 7. CANCELLATION OF LICENSE.

- (A) The cancellation of the permit granted for any premises, for any reason, shall automatically and without further action also cancel the license for the same premises.
- (B) The Board of County Commissioners shall have the power to cancel the said license after hearing and good cause shown.

SECTION 8. NO GAMING OR NARCOTICS PERMITTED

No gaming or narcotics shall be permitted on the premises.

SECTION 9. EXAMINATION

Each prostitute in a house of prostitution shall receive a pelvic examination at least once a week to determine the presence or absence of venereal disease and be tested for gonorrhea using an endocervical culture technique. The culture medium shall be processed at a licensed and approved clinical laboratory.

SECTION 10. EVIDENCE

In the trial of all cases arising under the provisions of this Ordinance, evidence of general reputation

shall be deemed competent evidence as to the question of the ill-fame, and as to the question of whether or not acts of prostitution are committed or offered to be committed on the premises.

SECTION 11. PENALTIES

Every person violating any provision of this Ordinance shall, on conviction thereof, be punished by a fine of not to exceed FIVE HUNDRED (\$500.00) DOLLARS or by imprisonment in the County Jail, for a period not exceeding six (6) months, or both such fine and imprisonment. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

SECTION 12. SEPARABILITY

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION 13. EXISTING EMERGENCY

Whereas the immediate operation of the provisions of this Ordinance is necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage by the Board of County Commissioners of Esmeralda County, State of Nevada, and publication and posting as required by law.

SECTION 14. REPEAL OF CONFLICTING ORDINANCES

All other Esmeralda County Ordinances and parts of

Ordinances in conflict with the provisions of this Ordinance are, insofar as such conflict exists, hereby repealed.

SECTION 15. REVOCATION OF EXISTING PERMITS AND LICENSES AND APPLICATIONS FOR PERMITS AND LICENSES

All permits and licenses and applications for permits and licenses pertaining to prostitution issued prior to the enactment of this Ordinance are hereby null and void, cancelled and revoked within one month following enactment of this Ordinance.

SECTION 15 PASSAGE AND APPROVAL

DATED: This 2nd day of November, 1972.

PROPOSED BY: Henry Dahlstrom

PROPOSED: One the 2nd day of Movember, 1972.

PASSED: On the 2nd day of November, 1972.

VOTE: Ayes. 3

COMMISSIONERS:

S/ Edward F. Denton

S/ Jewell E. Parsons

S/ Henry Dahlstrom

ATTEST:

S/ Xniea Baird

1 Bonanza-Goldfield News, on the 6th, 13th, and 20th of October,
2 1972.

3 DATED: This 5th day of ~~September~~, 1972

4 PROPOSED BY: Commissioner Henry Dahlstrom

5 PROPOSED: On the 5th day of ~~September~~, 1972

6 PASSED: On the 19th day of ~~September~~, 1972.

7 VOTE: AYES

8 COMMISSIONERS

9 EDWARD P. DENTON

10 EDWARD P. DENTON
11 Chairman of the Board of County
12 Commissioners of Esmeralda
13 County, Nevada.

14 JEWELL E. PARSONS

15 JEWELL E. PARSONS, Member

16 HENRY DAHLSTROM

17 HENRY DAHLSTROM, Member

18 ATTEST:

19 KNIEA BAIRD

20 KNIEA BAIRD, Clerk of the Board

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AGENDA REQUEST FORM

1. Circle or check one: Commission Highway RTC Liquor

2. Discussion/Decision:

Accepting & signing Contract of
Jason Earnest as the Esmeraldas County P.A.

3. Action: Yes ☒ No ☐ (You must check one)

4. Fiscal Impact: Yes ☐ No ☒ (If yes, you must submit explanation with back up information)

5. Funding source:

6. Business Impact Statement: Yes ☐ No ☒ (Contact District Attorney for guidance)

7. Related Department notified: Yes ☒ No ☐

8. Will be presented by:

9. Date submitted: 1-9-19 Meeting date: 1-15-19

Agenda Request form and Information must be supplied to the Clerk/Treasurer's office, the Administrative Assistant and related Department Head eight working days (excluding holidays and day of the meeting) or twelve calendar days (excluding holidays and day of the meeting) prior to the meeting date

If backup is not provided, item may be tabled or dismissed.

Backup provided ☐

Backup not provided ☐

10. Backup information received by:

11. Signed:

Person submitting agenda request

Sherry Huffman

AGENDA REQUEST FORM

1. Circle or check one: ☒ Commission ☐ Highway ☐ RTC ☐ Liquor
2. Discussion/Decision: to take the Commodities program from the Clerk Treasurers office and turn over to the Commissioner office. Also providing a truck from Maitaneco or Road Shop to be able to deliver Commodities to SP & FLV.
3. Action: Yes ☒ No ☐ (You must check one)
4. Fiscal Impact: Yes ☐ No ☒ (If yes, you must submit explanation with back up information)
5. Funding source: N/A
6. Business Impact Statement: Yes ☐ No ☒ (Contact District Attorney for guidance)
7. Related Department notified: Yes ☒ No ☐
8. Will be presented by: Cindy Elgan & Sherry Huffman
9. Date submitted: 1-9-19 Meeting date: 1-15-19

Agenda Request form and Information must be supplied to the Clerk/Treasurer's office, the Administrative Assistant and related Department Head **eight working days** (excluding holidays and day of the meeting) or **twelve calendar days** (excluding holidays and day of the meeting) prior to the meeting date

If backup is not provided, item may be tabled or dismissed.

Backup provided ☐

Backup not provided ☐

10. Backup information received by:

11. Signed:

Person submitting agenda request

Sherry Huffman