

# NYE COUNTY AGENDA INFORMATION FORM

Action     
  Presentation     
  Presentation & Action

<b>Department: Finance</b>		<b>Agenda Date:</b>	
<b>Category: Timed Agenda Item – 10:00 a.m.</b>		<b>June 30, 2020</b>	
<b>Contact: Savannah Rucker</b>	Phone: 775-751-6391	Continued from meeting of:	
<b>Return to: Savannah Rucker</b>	<b>Location: Tonopah</b>	Phone: 775-751-6391	
<b>Action requested:</b> (Include what, with whom, when, where, why, how much (\$) and terms) <p>Public Hearing, discussion and deliberation regarding a request to adopt, amend and adopt, or reject Nye County Resolution No. 2020-21: A Resolution Authorizing a Temporary Interfund Loan for Fiscal Year 2020-2021.</p>			
<b>Complete description of requested action:</b> (Include, if applicable, background, impact, long-term commitment, existing county policy, future goals, obtained by competitive bid, accountability measures) <p>Interfund loan for the purposes of pre-funding the Nye County Grants Fund 10340 from the Nye County General Fund 10101 and comply with NRS 244.215 (5) as recommended by the Committee on Local Government Finance.</p> <p>Staff recommends adoption of Nye County Resolution No. 2020-21 in accordance with NRS 354.6118 and NAC 354.290.</p>			
Any information provided after the agenda is published or during the meeting of the Commissioners will require you to provide 20 copies: one for each Commissioner, one for the Clerk, one for the District Attorney, one for the Public and two for the County Manager. Contracts or documents requiring signature must be submitted with three original copies.			
<b>Expenditure Impact by FY(s):</b> (Provide detail on Financial Form) <p style="text-align: right;"><input checked="" type="checkbox"/> No financial impact</p>			

**Routing & Approval (Sign & Date)**

1. Dept	Date	6.	Date
2.	Date	7. HR	Date
3.	Date	8. Legal	Date
4.	Date	9. Finance	Date
5.	Date	10. County Manager	Date

MG     
 ITEM # 8

**NRS 354.6118 Interfund loans or loans to other local governments: Public hearing required.** Before making an interfund loan or loaning money to another local government, the governing body of the local government that wishes to make the loan must:

1. Determine at a public hearing that:
    - (a) A sufficient amount of money is available for the loan and that money is not restricted as to its use; and
    - (b) The loan of the money will not compromise the economic viability of the fund from which the money is loaned; and
  2. Establish at the public hearing conducted pursuant to subsection 1:
    - (a) The amount of time the money will be on loan from the fund;
    - (b) The terms and conditions for repaying the loan; and
    - (c) The rate of interest, if any, to be charged for the loan.
- (Added to NRS by 2001, 1497; A 2003, 52)

**NAC 354.290 Temporary interfund loans: Conditions; interest.** (NRS 354.107, 354.6118)

1. Unless otherwise prohibited by law, the governing body of a local government may make a temporary interfund loan if:
    - (a) The governing body complies with the provisions of NRS 354.6118;
    - (b) Any money for the loan which is obtained from the proceeds from the sale of a bond is used only for the purposes set forth in the bond ordinances;
    - (c) The loan is not made from any debt service fund or from any fund established or maintained as a fund dedicated to the payment of bonded debt and interest;
    - (d) The resolution authorizing the loan specifies whether interest will be charged and the rate thereof, if any;
    - (e) It is agreed in writing that the loan must be repaid within 1 year after the date on which the loan was made;
    - (f) A copy of the resolution authorizing the loan is filed with the Department; and
    - (g) The governing body agrees to notify the Department when the loan has been repaid.
  2. If the resolution authorizing the making of a temporary interfund loan does not specify whether interest will be charged as required pursuant to paragraph (d) of subsection 1, no interest may be charged.
  3. As used in this section:
    - (a) "Component unit" means a separate legal entity from a local government whose financial statements must be included in the annual audit of that local government conducted pursuant to NRS 354.624.
    - (b) "Temporary interfund loan" means a loan of money for a term of less than 1 year from a fund to meet an immediate obligation of another fund in advance of receipt by the borrowing fund of sufficient revenues from regular sources, including such a loan from a fund of:
      - (1) A local government to:
        - (I) Another fund of that local government;
        - (II) A fund of a component unit of that local government;
        - (III) A fund of another local government; or
        - (IV) A fund of a component unit of another local government; and
      - (2) A component unit of a local government to:
        - (I) Another fund of that component unit;
        - (II) A fund of another component unit of that local government;
        - (III) A fund of that local government or of another local government; or
        - (IV) A fund of a component unit of another local government.
- (Added to NAC by Com. on Local Gov't Finance by R135-10, eff. 12-16-2010)

**NRS 244.215 Procedure when county auditor or county comptroller refuses demand.**

1. In any county in which a county comptroller has not been appointed, the county auditor shall sign no warrant authorizing the payment of money by the county treasurer, except for the salary of the county auditor, until a copy of the order of the board of county commissioners, allowing the amount and ordering its payment, together with the account, have been submitted to him or her, and his or her allowance endorsed on the order, unless the county auditor refuses to audit and allow the demand, in which case the order must be presented to the board of county commissioners, with a copy of the refusal of the county auditor endorsed, and the county auditor's reasons for the refusal.

2. In any county in which a county comptroller has been appointed, if the county comptroller refuses a demand either entirely or in part as not being a proper claim against the county, the county comptroller shall present the demand to the board of county commissioners with an endorsed copy of the refusal and the county comptroller's reason for the refusal.

3. Should the board order the issuance of the warrant by a unanimous vote of its members, the county auditor shall immediately issue the warrants upon service upon him or her of a copy of the order of the board, certified to by the clerk of the board, that all the members voted for its passage; otherwise, the account must be declared rejected, and no warrant may be issued for payment of the demand.

4. If the county auditor allows the account in part, a warrant shall only issue for that part, unless the board, by a similar unanimous vote, allows a greater sum.

5. No warrant may be drawn by the county auditor on the county treasurer on any fund, unless there is sufficient money in the fund at the time to pay the warrant; and any warrant drawn contrary to the provisions of this section is void for all purposes.

[10:80:1865; B § 3079; BH § 1951; C § 2113; RL § 1510; NCL § 1944] — (NRS A 1979.373)

1 **NYE COUNTY RESOLUTION NO. 2020-21**

2 A RESOLUTION AUTHORIZING A TEMPORARY INTERFUND LOAN FOR FISCAL YEAR 2021.

3 WHEREAS, pursuant to NRS 354.6118 and NAC 354.290, an interfund loan may be made upon  
4 approval by the governing board at a public hearing; and

5 WHEREAS, the Nye County Grants Fund (10340) operates as a reimbursable fund expending grant  
6 dollars prior to receipt of grant dollars from Grantors generating deficit cash in the fund; and

7 WHEREAS, the Board of County Commissioners (BOCC) may approve the transfer of funds from the  
8 Nye County General fund (10101) to the Nye County Grant fund (10340) for the purpose of offsetting a deficit  
9 cash issue within the fund; and

10 WHEREAS, NAC 354.290(3)(b) states that as used in this section, "Temporary interfund loan" means a  
11 loan of money for a term of less than 1 year from a fund to meet an immediate obligation of another fund in  
12 advance of receipt by the borrowing fund of sufficient revenues from regular sources; and

13 WHEREAS, it has been determined that (a) A sufficient amount of money is available for the loan from  
14 the available fund balance in the Nye County General Fund and that money is not restricted as to its use; and (b)  
15 the loan of the money will not compromise the economic viability of the fund from which the money is loaned,

16 NOW THEREFORE, BE IT RESOLVED, that Nye County shall transfer the amount of \$1,000,000.00  
17 from the Nye County General fund (10101) to the Nye County Grant Fund (10340) as of July 1, 2020 to be used  
18 to offset a negative cash situation;

19 IT IS FURTHER RESOLVED, the no interest temporary interfund loan shall be repaid on or before June  
20 30, 2021.

21 APPROVED this 30<sup>th</sup> day of June, 2020.

22 NYE COUNTY  
23 BOARD OF COUNTY COMMISSIONERS:

ATTEST:

24 \_\_\_\_\_  
25 John Koenig, Chairman

\_\_\_\_\_  
Sandra L. Merlino, Nye County Clerk  
and Ex-Officio Clerk of the Board