

Recorder's Office Cover Sheet

Recording Requested By:

Name: RYAN STANTON

Department: COMMUNITY SERVICES



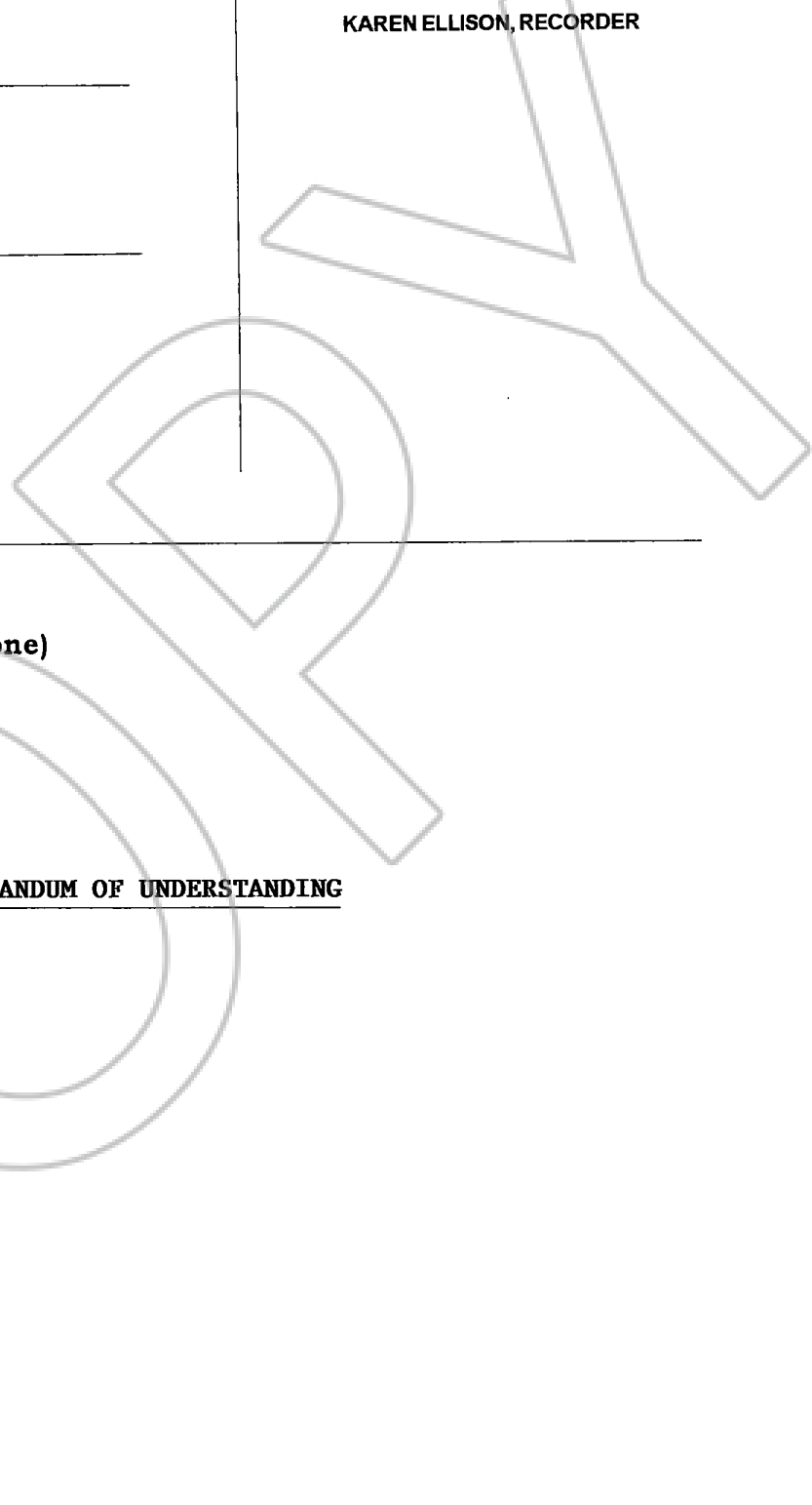
00122159202009559650130137

KAREN ELLISON, RECORDER

Type of Document: (please select one)

- Agreement
- Contract
- Grant
- Change Order
- Easement

Other specify: MEMORANDUM OF UNDERSTANDING



FILED

NO 2020.187

11-6-20

DATE

DOUGLAS COUNTY CLERK
MINDEN, NV

MEMORANDUM OF UNDERSTANDING

BY  DEPUTY

Pursuant to the Noxious Weeds Cost Share Abatement Program document, this Memorandum of Understanding (MOU) between the Nevada Department of Agriculture (NDA) and Douglas County outlines the roles and responsibilities of all parties involved in conducting a noxious weed abatement and collecting fees associated with said abatement concerning parcels of land specified herein. This agreement is entered into pursuant to NRS 561.245:

In the administration of various programs by the Department as provided by law, the Department may:

1. Cooperate, financially or otherwise, and execute contracts or agreements with the Federal Government or any federal department or agency, any other state department or agency, a county, a city, a public district or any political subdivision of this State, a public or private corporation, a natural person or a group of natural persons. The cooperation does not relieve any person, department, agency, corporation or political subdivision of any responsibility or liability existing under any provision of law.
2. In addition to any money or other contribution accepted pursuant to NRS 561.255, apply for or accept any gifts, grants, donations or contributions from any source.
3. Except as otherwise provided in NRS 561.335 and 561.355, make grants or subgrants of money to any person, department, agency, corporation or political subdivision specified in subsection 1.

I. TERMS OF MOU

An abatement for the noxious weed(s) *cirsium arvense*, Canada Thistle on the parcel(s) of land located at 266 Old Barn Rd Genoa, NV 89411, 276 Old Barn Rd Genoa, NV 89411, 2291 Pioneer Trail Genoa, NV 89411, Assessor Parcel Number(s) APN# 1319-10-113-003, APN# 1319-10-211-013, APN# 1319-10-111-002, owned by Michael McCosket, Hubert McCosket, Elwyn Freemonth is required. Explanation of failed contact and/or failure of noxious weed control of the property owner as well as copies of 1st and 2nd NDA regulatory notices are attached to this MOU.

Pursuant to NRS 555.170 the NDA requires the Douglas County Board of County Commissioners to direct a county weed control program, Nevada licensed pest control operator, conservation district, and/or cooperative weed management area group of their choosing to conduct a noxious weed abatement on the previously listed property at the earliest practical opportunity. The county will ensure that a reasonable going rate is contracted for the abatement. The following treatment method is required.

Treatments for the specie listed below are to be conducted at the proper growth stage and as frequently as necessary to ensure adequate control. NDA will consider proposed alternative treatments.

Canada Thistle (*Cirsium arvense*)

- Apply Oversight (3oz per acre) two treatments annually through all stages.

Once the abatement has been performed, Douglas County will fully reimburse the contracted PCO or hired contractor for the work performed. Douglas County will also bill the property owner and, if applicable, the occupant for the total cost of the abatement. The property owner and, if applicable, the occupant will have thirty days from the invoice date to reimburse these fees or file an objection thereto.

If the property owner or occupant fails to reimburse the invoice or make arrangements with Douglas County for reimbursement, or if after hearing on an objection the board of county commissioners shall fix and determine the abatement cost, Douglas County will file a lien on the property in the amount of the abatement cost. Once the lien is filed by Douglas County, the NDA will reimburse Douglas County 75% of the lien amount that reflects the abatement cost and is within the department's spending authority per the Account for Control of Weeds per NRS 555.035.

When Douglas County collects on all or part of the lien, the county will reimburse the NDA the amount collected but not in excess of the full amount of the funding provided by the NDA for the abatement, as well as an appropriate portion of any interest earned on the lien.

II. EFFECTIVE DATE AND SIGNATURE

This MOU shall be effective upon the signature of Nevada Department of Agriculture and Douglas County Board of County Commissioners authorized officials. All parties indicate agreement with this MOU by their signatures below.

Signatures and Dates

Ashley Jeppson

Digitally signed by Ashley Jeppson
DN: cn=Ashley Jeppson, o=Nevada Department of
Agriculture, ou, email=ajeppson@agri.nv.gov, c=US
Date: 2020.10.06 17:07:49 -07'00'

Jennifer Ott, Director or Designee
Nevada Department of Agriculture

DATE

Patrick Cates, County Manager
Douglas County

DATE

8/26/2020

FIRST NOTICE

Hubert McCosket

Nevada State Law declares that an individual property owner is responsible for controlling noxious weeds on his property and for preventing the spread of noxious weeds to neighboring properties. (NRS 555.150) You may request an abstract of the NRS from the Douglas County Weed Control office or you may access the Nevada State web site for a complete copy.

The Douglas County Board of Commissioners approved a motion to take a more proactive approach to the noxious weed problem in Douglas County, and directed the Weed Control Department to follow a procedure and respond to complaints regarding neglected noxious weeds.

During a survey of adjacent parcels, your property(s) located at **276 Old Bard Rd Genoa, NV 89411 (APN #1319-10-211-013)** in Douglas County were found to have **Canada Thistle** a noxious weed that needs to be controlled.

The Weed Control Department offers assistance by:

1. Providing plant identification and explanations of various effective control options
2. Offering sprayers for rent (\$100/per day)
3. Offering herbicide sales at a rate less than retail
4. Application of herbicides for a fee of \$125/hr plus the cost of herbicides.

Control may be accomplished by methods other than herbicide applications but, depending upon the weed species; herbicides may be the most cost effective in the long term.

Though compliance with the law is our primary goal, response to this letter is necessary within the next **ten working days** to discuss the implementation of a control plan. Please contact Jeff Begovich, Weed Control Coordinator at 782-9835 to discuss a control plan for your situation.

Thank you for your attention to this matter.

Sincerely,

Ryan Stanton
Parks Superintendent



DOUGLAS COUNTY
**COMMUNITY SERVICES/
PARKS & RECREATION**

DIRECTOR: Scott Morgan

▲ Parks
1323 Waterloo Lane
Gardnerville, NV 89410
(775) 782-9835
FAX: (775) 782-5799

▲ Recreation/Douglas County
Community & Senior Center
1329 Waterloo Lane
Gardnerville, NV 89410
(775) 782-5500 EXT. 1
FAX: (775) 782-9844

▲ Lake Tahoe
Kahle Community Center
236 Kingsbury Grade
Stateline, NV 89449
(775) 586-7271
FAX: (775) 586-7273

MAIL: P.O. Box 218, Minden, NV 89423

2ND NOTICE

7011 2970 0000 0764 7641

9/9/2020

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Thank you for your attention to this matter.

Sincerely,

Ryan Stanton
Parks Superintendent

CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

45 OFFICIAL USE

Postage	\$0.50
Certified Fee	3.55
Return Receipt Fee (Endorsement Required)	2.85
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$6.90

Postmark Here

Sent To: Hubert McCosket
 Street, Apt. No., or PO Box No.: 820 Meadow Springs
 City, State, ZIP+4: Genoa NV 89509

PS Form 3800, August 2005 See Reverse for Instructions



JENNIFER OTT
 Director

Elko Office:
 4780 East Idaho St.
 Elko, NV 89801-4672
 Telephone (775) 738-8076
 Fax (775) 738-2693

STATE OF NEVADA
 DEPARTMENT OF AGRICULTURE
 405 South 21st St.
 Sparks, Nevada 89431-5557
 Phone (775) 353-3601 Fax (775) 353-3661
agri.nv.gov

FINAL NOTICE

September 15th, 2020

Certified Mail # 7010 1870 0002 4628 7832
 Duplicate emailed

Hubert McCosket
 276 Old Barn Road
 Genoa, NV 89411

RE: APN # 1319-10-211-013

Mr. McCosket,

Your property at **276 Old Barn Road Genoa, NV 89411** in Douglas County, Nevada has been found to have an infestation of the noxious weed species **Canada Thistle**. Invasive plants are designated as noxious weeds by the Nevada Revised Statutes (NRS) 555.130. Under NRS 555.100 and 555.150-160, owners of land in Nevada must control weeds designated as noxious. In addition NRS 555.160 states, "*The State Quarantine Officer may serve notice in writing upon the owner or occupant of land to control weeds.*"

This letter constitutes official notice from the state of Nevada that you must treat the aforementioned weeds on your property. Failure to respond to this notice will result in abatement of weeds and potential lien against your property. See attached document detailing species information and acceptable effective treatment methods to gain compliance with state statutes.

Multiple prior attempts have been made by local entities to contact you to gain compliance with state statutes and no action has been documented. On August 26th, 2019 Douglas County sent their first notice. The second notice was sent on September 9th, 2020. This final notice is being sent on September 15th, 2020. It is imperative that you respond to this notice as soon as possible. You are required to contact the Department to discuss treatment plans and to provide proof of treatment of these noxious weeds by September 24, 2020. Should you fail or neglect to treat these weeds or contact the Department by this specified date, the Department will follow the abatement process specified in NRS 555.170. If an abatement is performed, Douglas County will bill you for the cost of the abatement. Should you fail or neglect to pay the cost of the abatement per NRS 555.180 Douglas County shall place a lien on your property to collect for the cost of the abatement.

Please note that continuation of control efforts throughout this season and in future years will be necessary to comply with statutes and provide consistent reduction and control of noxious weed infestations. The Department appreciates your cooperation and diligence on this very timely matter. I urge you to contact the department noxious weed program staff at noxiousweeds@agri.nv.gov or (775) 353-3640.

Sincerely,

Meghan Brown

Meghan Brown
 Deputy Administrator Plant Industry

8/26/2020

FIRST NOTICE

Michael McCosket

Nevada State Law declares that an individual property owner is responsible for controlling noxious weeds on his property and for preventing the spread of noxious weeds to neighboring properties. (NRS 555.150) You may request an abstract of the NRS from the Douglas County Weed Control office or you may access the Nevada State web site for a complete copy.

The Douglas County Board of Commissioners approved a motion to take a more proactive approach to the noxious weed problem in Douglas County, and directed the Weed Control Department to follow a procedure and respond to complaints regarding neglected noxious weeds.

During a survey of adjacent parcels, your property(s) located at **266 Old Bard Rd Genoa, NV 89411 (APN #1319-10-113-003)** in Douglas County were found to have **Canada Thistle** a noxious weed that needs to be controlled.

The Weed Control Department offers assistance by:

1. Providing plant identification and explanations of various effective control options
2. Offering sprayers for rent (\$100/per day)
3. Offering herbicide sales at a rate less than retail
4. Application of herbicides for a fee of \$125/hr plus the cost of herbicides.

Control may be accomplished by methods other than herbicide applications but, depending upon the weed species; herbicides may be the most cost effective in the long term.

Though compliance with the law is our primary goal, response to this letter is necessary within the next **ten working days** to discuss the implementation of a control plan. Please contact Jeff Begovich, Weed Control Coordinator at 782-9835 to discuss a control plan for your situation.

Thank you for your attention to this matter.

Sincerely,

Ryan Stanton
Parks Superintendent



▲ Parks
1323 Waterloo Lane
Gardnerville, NV 89410
(775) 782-9835
FAX: (775) 782-5799

▲ Recreation/Douglas County
Community & Senior Center
1329 Waterloo Lane
Gardnerville, NV 89410
(775) 782-5500 EXT: 1
FAX: (775) 782-9844

▲ Lake Tahoe
Kahle Community Center
236 Kingsbury Grade
Stateline, NV 89449
(775) 586-7271
FAX: (775) 586-7273

DIRECTOR: Scott Morgan

MAIL: P.O. Box 218, Minden, NV 89423

9/9/2020

2ND NOTICE

7011 2970 0000 0764 7634

Michael McCosket

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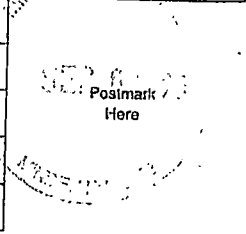
Sincerely,

Ryan Stanton
Parks Superintendent

7011 2970 0000 0764 76

For delivery information visit our website at www.usps.com
450 OFFICIAL USE

Postage	0.50
Certified Fee	3.55
Return Receipt Fee (Endorsement Required)	2.85
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$6.90



JENNIFER OTT
Director

Elko Office:
4780 East Idaho St.
Elko, NV 89801-4672
Telephone (775) 738-8076
Fax (775) 738-2693

Sent To
 Michael McCosket
 Street, Apt. No., or PO Box No. 820 Meadow Springs
 City, State, ZIP+4 Reno, NV 89509
 PS Form 3800, August 2005 See Reverse for Instructions

STATE OF NEVADA
 DEPARTMENT OF AGRICULTURE
 405 South 21st St.
 Sparks, Nevada 89431-5557
 ☎ (775) 353-3601 Fax (775) 353-3661
agri.nv.gov

FINAL NOTICE

September 15th, 2020

Certified Mail # 7012 2210 6742 4895
Duplicate emailed non-certified

Michael McCosket
266 Old Barn Road
Genoa, NV 89411

RE: APN # 1319-10-113-003

Mr. McCosket,

Your property at **266 Old Barn Road Genoa, NV 89411** in Douglas County, Nevada has been found to have an infestation of the noxious weed species **Canada Thistle**. Invasive plants are designated as noxious weeds by the Nevada Revised Statutes (NRS) 555.130. Under NRS 555.100 and 555.150-160, owners of land in Nevada must control weeds designated as noxious. In addition NRS 555.160 states, "*The State Quarantine Officer may serve notice in writing upon the owner or occupant of land to control weeds.*"

This letter constitutes official notice from the state of Nevada that you must treat the aforementioned weeds on your property. Failure to respond to this notice will result in abatement of weeds and potential lien against your property. See attached document detailing species information and acceptable effective treatment methods to gain compliance with state statutes.

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Please note that continuation of control efforts throughout this season and in future years will be necessary to comply with statutes and provide consistent reduction and control of noxious weed infestations. The Department appreciates your cooperation and diligence on this very timely matter. I urge you to contact the department noxious weed program staff at noxiousweeds@agri.nv.gov or (775) 353-3640.

Sincerely,

Meghan Brown

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Deputy Administrator Plant Industry

8/26/2020

FIRST NOTICE

Elwyn Freemonth

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During a survey of adjacent parcels, your property(s) located at **2291 Pioneer Trail Genoa, NV 89411 (APN #1319-10-111-002)** in Douglas County were found to have **Canada Thistle** a noxious weed that needs to be controlled.

The Weed Control Department offers assistance by:

1. Providing plant identification and explanations of various effective control options
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Thank you for your attention to this matter.

Sincerely,

Ryan Stanton
Parks Superintendent



DIRECTOR: Scott Morgan

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FAX: (775) 782-5799

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▲ Lake Tahoe
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(775) 586-7271
FAX: (775) 586-7275

MAIL: P.O. Box 218, Minden, NV 89423

9/9/2020

2ND NOTICE

7011 2970 0000 0764 7658

Elwyn Freemonth

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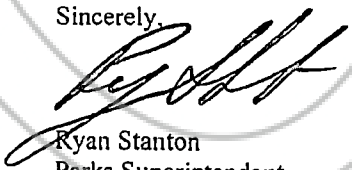
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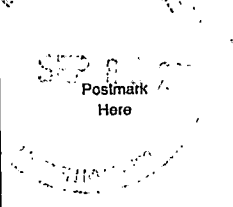
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Ryan Stanton
Parks Superintendent

7011 2970 0000 0764 765

For delivery information visit our website at www.usps.com
45 OFFICIAL USPS

Postage	\$0.50
Certified Fee	3.55
Return Receipt Fee (Endorsement Required)	2.85
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$6.90



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Director

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Sent To Elwyn Freemonth
 Street, Apt. No., or PO Box No. 820 Meadow Springs
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 DEPARTMENT OF AGRICULTURE
 405 South 21st St.
 Sparks, Nevada 89431-5557
 (775) 353-3601 Fax (775) 353-3661
 agri.nv.gov

FINAL NOTICE

September 15th, 2020

Certified Mail # 7012 2210 6742 5007

Duplicate emailed non-certified

Elwyn Freemonth
2291 Pioneer Trail
Genoa, NV 89411

RE: APN # 1319-10-111-002

Mr. Freemonth,

Your property at **2291 Pioneer Trail Genoa, NV 89411** in Douglas County, Nevada has been found to have an infestation of the noxious weed species **Canada Thistle**. Invasive plants are designated as noxious weeds by the Nevada Revised Statutes (NRS) 555.130. Under NRS 555.100 and 555.150-160, owners of land in Nevada must control weeds designated as noxious. In addition NRS 555.160 states, "*The State Quarantine Officer may serve notice in writing upon the owner or occupant of land to control weeds.*"

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Sincerely,

Meghan Brown

Meghan Brown

COPY

Douglas County

State of Nevada

CERTIFIED COPY

I certify that the document to which this certificate is attached is a full and correct copy of the original record on file in the Clerk-Treasurer's Office on this

10th day of Nov, 2020
By [Signature] Secretary